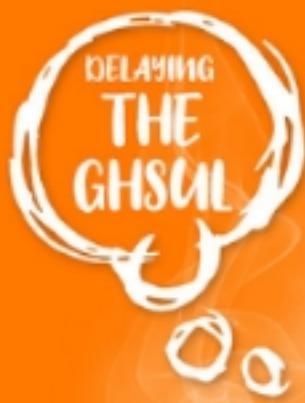


Ritual Washing *Ghusul*

Ablution, Tayammum, Menstruation and Postnatal Bleeding



BY HUSEYİN HİLMI İSİK

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THE FARDS OF NAMÂZ (PERFORMING ABLUTION [WUDÛ, ABDAST])

Namâz has twelve fards, seven of which are preconditions, i.e., they are before beginning namâz; these conditions must exist in order for the namâz to be valid. They are called **essentials of namâz**. They are: **Tahârat** (purification) **from hadas** (state of being without abdast or ghusl), **tahârat from najâsat** (substances which Islam prescribes as unclean), **satr-i awrat** (covering parts of the body that are called awrat), **istiqbâl-i qibla** (facing the qibla), **waqt** (prescribed time), **niyyat** (intention), **takbîr of tahrîma** (beginning)^[1]. All sorts of existence are contingent on some functional fulfilments so that they should exist. There are five positional types of this dependence: If an action to be fulfilled is within the essence of something to come into existence, i.e. if it is one of its particles, the action is called **Rukn**. If it affects the existence externally, it is called **'illat**. **Nikâh** (marriage contract prescribed by Islam.) is an 'illat of marriage. If doing something particular requires the existence of something else although there are no effectual relations between them, the existence required is called **Sabab**, the cause (reason). **Waqt** (appointed time for namâz) is the sabab, the cause (reason) of namâz. If doing something particular does not require the existence of something else, and yet if the latter ceases to exist in case the former should not be done, then the former is called **Shart** (condition). However, if the latter does not cease to exist in this case, it is called **Alâmat** (sign, property). **Adhân** (calling to prayer) is the alâmat of namâz. Five of the fards of the namâz are inside the namâz. Each of these five fards is also called **Rukn**. [Some Islamic scholars have said that takbîr of tahrîma^[1] is inside the namâz. According to them, the rukns of namâz, as well as the sharts (conditions) of namâz, are six in number.] In the chapters ahead, we shall explain all these in accordance with the Hanâfi Madhhâb.

There are two kinds of tahârat from hadas:

1 - Performance of an ablution by a person who does not have an ablution.

2 - Performance of a ghusl by a person who does not have a ghusl.

Wudû' means ablution; **tawâddî** means to perform an ablution; **ghasl** means to wash something; **ightisâl** means to perform a ghusl ablution, and **ghusl** means the ablution of ghusl (in Arabic). A Muslim who does not have an ablution is called **muhdîs**. A Muslim who does not have a ghusl ablution is called **junub**.

It is written in the book **Halâbî-yi saghîr**: "There are fards, sunnats, adabs, and harâms in an abdast (ablution). If a person performs namâz without an ablution though he does not have a good excuse for doing so and though he knows that he does not have an ablution, he becomes a disbeliever. He who loses his ablution while performing namâz, performs the salâm (Assalâm-u alaikum wa rahmatullah) to one side right away and stops his namâz. Re-making an ablution before the prescribed time period is over, he begins the namâz again."

[1] Later in the text, all these new terms will be explained in detail.

[1] The takbîr, i.e. the expression, "Allâhu akbar", which we say to begin performing namâz.

There are four fards of ablution in the Hanaffî Madhhâb: To wash the face once; –the face is the part between the ear-lobes (horizontally), and between the hairline and chin (vertically)– to wash both arms together with the elbows once; to apply masah on one-fourth of the head, that is, to rub a wet hand softly on it; to wash the feet, together with the ankle-bones on both sides, once each. [According to the Shâfi'i and Mâlikî Madhhâbs **niyyat** (intention) is fard. Niyyat means to intend (to make ablution) through the heart. It is not fard (obligatory) to say it orally. In the Mâlikî Madhhâb it is obligatory to make niyyat when beginning to make ablution. A disbeliever's niyyat is not sahîh. The skin on the area bordering on the ear-lobes, and the hair on it as well are within the face, according to the Hanaffî Madhhâb; so it is fard to wash those areas. In the Mâlikî Madhhâb they are (outside the facial region and belong to the rest) of the head. They should therefore be included in the masah, (since it is fard in the Mâlikî Madhhâb to make masah of the entire head. In the Shâfi'i Madhhâb, the niyyat should be made while washing the face. The ablution will not become sahîh if one intends before the water touches the face.] It is fard to wash the beard on the face and chin. Washing the hanging part of the beard is fard in the other three Madhhâbs. The Shâfi'ites do not wash their feet, but only apply masah on their bare feet.

There are eighteen sunnats in an ablution:

1 - To recite the Basmala before entering the restroom and when beginning to make an ablution. He who cannot find a lonely place can relieve himself near others if he is taken short and provided he will cover himself.

2 - To wash the hands including the wrists three times.

3 - To rinse the mouth three times by using new water each time. This is called **madmada**.

4 - To wash both nostrils three times, taking fresh water each time. This is called **istinshâq**.

5 - It is sunnat, not fard, to wet the invisible parts of the skin under the eyebrows, the beard and the moustache. It is fard to wash their exterior surfaces. If the hairs are scarce and the skin can be seen, it will be fard to wet and wash the skin.

6 - To wet the section under the two eyebrows when washing the face.

7 - To apply masah on the hanging part of the beard. In the Hanaffî Madhhâb it is not fard to wash it. In Shâfi'i, it is fard to

wash the skin below the chin.

8 - To comb (*takhlîl*) the hanging part of the beard with the wetted fingers of the right hand.

9 - To rub and clean the teeth with something.

10 - To apply masah on the whole head once.

11 - To apply masah (to wipe) both ears once. It is fard to wash the parts between the ear and the cheek. (Please see the previous paragraph explaining the four fards of ablution.)

12 - To apply masah on the neck once with three adjacent fingers of both hands.

In order to perform the last three procedures together, both hands are moistened. The three thin adjacent fingers of both hands are joined together; their inner surfaces are placed on the beginning of the hair right above the forehead. The ends of these three fingers of both hands must be touching one another. Thumbs, pointing-fingers and palms must be in the air, not touching the head. The two hands are drawn backwards, thereby applying masah on the head with those three fingers of each hand. When the hands reach the end of the hair in the back, the three fingers of each hand are detached from the head and the palms of both hands are then slightly pressed against the hair of both sides of the head and drawn forward, applying masah on the sides of head. Then, putting the pointing-fingers of both hands in the ears and the inner surface of the thumbs on the back of the ears, we apply masah on the ears by drawing the thumbs downwards. Then the outer surface of each three thin fingers is put on the back of the neck and masah is applied on the neck by drawing them from the middle of the neck towards the sides. [This manner of masah is fard in the Mâlikî Madhab.]

13 - To wash (**takhlîl**) between the fingers and the toes. For washing between toes, the little finger of the left hand is inserted between the toes from under them in succession, beginning with the little toe of the right foot and, after finishing with the right foot, carrying on with the big toe of the left foot.

14 - To wash three times, every limb to be washed. At each washing every part of the limb must be moistened. It is sunnat not only to pour water three times but to wash it completely three times. It is makrûh to wash more than three times. If you become confused counting, you may complement the counting to three. If in this case the washing is done more than three times it will not be makrûh.

15 - In the Hanâfi Madhab, to intend through the heart when beginning to wash the face. [It is written in Ibni 'Âbidin's book that it is sunnat, mustahab or bid'at to intend orally. And it is written in Berîqa and Hadîqa as well as in Ibni 'Âbidin's book that when something is said to be sunnat or bid'at, it is better not to do it. For this reason we must not intend orally. It is fard to intend for every worship ('ibâda) in the beginning, and it is also permissible to say 'in shâ-Allah.' It is not a necessity to intend for an oath, tilâwat [reading the Qur'ân al-kerîm], dhikr or adhâan; and it is not necessary to make a separate intention (niyyat) for each of the stages of a certain act of worship, (when they are performed at one time,) such as abdast and ghusl.]

16 - Tartîb. In other words, to wash the two hands, the mouth, the nostrils, the face, the arms, then to apply masah on the head, on the ears, on the neck, and then to wash the feet successively, and not to change this order. Tartîb is fard in the Shâfi'i Madhab.

17 - Dalk, to rub the limbs washed. Dalk and muwâlât are fard in the Mâlikî Madhab.

18 - Muwalât, to wash the limbs one right after another quickly.

Adabs of an ablution: In this context adab means something which causes blessings when done but incurs no sin if omitted. But to do the sunnat is a great blessing and not to do it is tanzîh makrûh. Adabs are called mandûb or mustahab, too. The adabs of an ablution written in the book Halabî-yi saghîr are as follows:

1 - To make an ablution before it is time for namâz. Those who have excuses^[1] must make it after the time (of the prayer to be performed) has begun.

2 - When cleaning yourself in the toilet, the qibla must be on your right or left-hand side. It is tahrîmi makrûh to turn your front or back to the qibla when relieving yourself or urinating. It is an adab to squat yourself down with the feet wide apart.

3 - If the private parts have not been smeared with najâsat, it is an adab to wash them with water. If the najâsat is less than one dirham [which is equal to one mithqâl: four grams and eighty centigrams], it is sunnat to wash it off. If one has been smeared with one dirham of it, it is wâjib, and if more than that it is fard to wash. There is not a prescribed number of washing. It is

[1] These special excuses, called 'udhr, are prescribed by Islam.

necessary to wash until you become clean. You do the cleaning with the inner surfaces of one or two or three fingers of your left hand.

4 - To wipe yourself dry with a piece of cloth after washing. If there is no cloth available you must do the wiping with your hand.

5 - To cover yourself immediately after the cleaning is completed. It spoils the adab to uncover unnecessarily at isolated places.

6 - Not to ask for help from anybody, but to perform the ablution by yourself. If someone pours water for you without being asked, it will be permissible.

7 - To turn towards the qibla when making an ablution.

8 - Not to talk while making an ablution.

9 - To recite the kalima-i shahâdat while washing each limb.

10 - To recite the prescribed prayers (du'â) of ablution.

11 - To put water in the mouth with the right hand.

12 - To put water in the nose with the right and to clean the nose with the left hand.

13 - When washing the mouth, to brush the teeth with a **miswâk**. While the fingers of the right hand are stretched, the thumb and the little finger hold the miswâk on the lower side and the other three fingers hold it on the upper side, then the miswâk is rubbed gently on the teeth, three times on the teeth on the right side and three times on the ones on the left side. It should not be rubbed hard lest it will damage the teeth. When rubbed softly it strengthens the teeth and the gums. Miswâk is a span-long piece of stick cut from a branch of a tree of Erâk (Peelo), which grows in Arabia. In case an erâk branch is not available, branches of olive trees or others can replace it. But not a pomegranate branch because it is bitter. Your food and drink should not have a bitter taste. In case a miswâk is not available, a brush can be used. If a brush is not available, either, you must clean your teeth with your thumb and second little finger; for doing this, the former is rubbed on the teeth on the right hand side and the latter is rubbed on the ones on the left hand side, three times each. It is not shar'an (canonically) makrûh to use someone else's miswâk or comb with his permission, but it is tab'an^[1] makrûh. Also, smoking is tab'an makrûh.

[1] That which is repugnant to the human nature.

14 - When washing the mouth, to rinse it if not fasting. A light gargling in the throat is sunnat during abdast as well as during ghusl. Yet it is makrûh to gargle when you are fasting.

15 - When washing the nostrils, to draw the water almost up to the bone.

16 - When applying masah on the ears, to insert each little finger into each earhole, respectively.

17 - To use the little finger of the left hand when washing between the toes by inserting (takhlîl) from the lower sides of them.

18 - To shift the ring when washing the hands. It is necessary and fard to shift a tight ring.

19 - Not to waste the water though it may be plentiful.

20 - Not to use too little water as if you were applying an ointment. During each of the three washings, at least two drops of water must fall from the part washed.

21 - After using a container for ablution, to leave the container full of water. You should put the ewer in its place with its mouth pointing towards the qibla. Any other traveller who wants to perform namâz can easily determine the direction of the qibla by way of the ewer's mouth.

22 - To recite the prayer (du'â) "Allahumma j'âlni minattawwâbîn..." after or during the ablution.

23 - To perform two rak'ats of namâz called **Subhâ** after an ablution.

24 - To make an ablution even though you have an ablution. In other words, after performing one namâz, to renew your ablution for the next namâz though you may have an ablution.

25 - To clean the inner corners of the eyes and clear away the dried mucus in the eyelids when washing the face.

26 - When washing the face, the arms and the feet, to wash a little more than the compulsory amount. When washing the arms, we must fill our palm with water and then pour it towards our elbow.

27 - When performing an ablution, not to let the water used splash back on your body, your clothes, etc.

28 - **Ibni Âbidîn**, while listing the things that nullify an ablution, writes that if something that is not makrûh in your Madhhab is fard in another Madhhab, it is mustahab to do it.

Imâm-i Rabbâni wrote in his 286th letter that since rubbing the limbs (dalk) is a fard of ablution in Mâlikî, one should certainly rub them. While explaining the rij'î talâq **Ibni Âbidîn** wrote that it is better for a Hanâfi Muslim to imitate the Mâlikî Madhhab because Imâm-i Mâlik was in the position of a disciple to Imâm-i A'zam^[1].

There are twelve prohibitions in performing an ablution. Doing them is either harâm or makrûh; they are as follows:

1 - When relieving oneself or urinating in the toilet or outdoors, one should not turn one's front or back towards the qibla.

It is makrûh also to stretch one's feet towards the qibla or the Qur'ân. If the Qur'ân is above your level, it will not be makrûh. One can enter the toilet with the Qur'ân or an amulet that is wrapped up with a separate cover.

2 - It is harâm to open one's private parts in company in order to make tahârat.

3 - One should not make tahârat with one's right hand.

4 - When there is no water, it is makrûh to make tahârat (to clean oneself) with food products, manure, bones, animals' food, coal, someone else's property, a piece of flowerpot or tile, reeds, leaves, a piece of cloth or paper.

5 - One must not spit or throw mucus into the pool where one makes an ablution.

6 - One should not wash more or less than the prescribed limit of one's limbs of ablution, nor wash them more or fewer than three times.

7 - One must not wipe one's limbs of ablution with the same cloth used for tahârat.

8 - While washing the face, one must not splash the water on one's face, but pour it from the upper forehead downwards.

9 - One must not blow on or over the surface of the water.

10 - One must not close one's mouth and eyes tightly. If even a tiny part of the outward part of the lips or the eyelids is left dry, the ablution will not be acceptable.

11 - One must not expell mucus from one's nose with one's right hand.

12 - One must not make masah on one's head, ears or neck

[1] It should go without saying that this suggestion must be saved for such cases as you need to imitate a Madhhab other than your own.

more than once after moistening the hands each time. But it can be repeated without moistening the hands again.

An important note: Unless there is a strong necessity (darûrat), the following eleven rules must be obeyed:

1 - A person with both hands paralysed (or no hands at all) cannot make tahârat. Instead he makes tayammum by rubbing his arms on some soil and his face against a wall. If there is a wound on his face, he performs namâz without an ablution in order not to miss namâz.

2 - If a person is sick, his wife, jâriya, children, sisters, or brothers may help him perform his ablution.

3 - Making tahârat with stones and the like is the same as making it with water.

4 - If a person who went mad or fainted did not recover within twenty-four hours, he would not have to perform (qadâ) his missed prayers of namâz when he recovered. He who loses consciousness by taking alcohol, opium or medicine must perform each omitted prayer. A person who is so heavily ill that he cannot even perform namâz by moving his head while lying down, even if he is conscious, is exempted from performing namâz. However, this state must have continued for more than twenty-four hours.

5 - It is mustahab (a source of blessings) to use special baggy trousers and to cover the head when entering the toilet.

6 - When entering the toilet one must not hold something in one's hand containing Allah's name or pieces of writing from the Qur'ân. It must be wrapped up with something or it must be in one's pocket. The case is the same with an amulet.

7 - One must enter the toilet with one's left foot and go out with one's right foot.

8 - In the toilet one must open one's private parts after squatting and one must not talk.

9 - One must not look at one's private parts or at the waste material or spit in the toilet.

10 - In the toilet, one must not eat or drink anything, sing, whistle, [smoke] or chew gum.

11 - One must not urinate into any water, on a wall of a mosque, in a cemetery, or onto any road.

THINGS THAT NULLIFY AN ABLUTION: It is written in the book **Halabî**: "In the Hanaff Madhab, seven things nullify an ablution: Firstly, everything excreted from the front and rear

organs, for example breaking wind, breaks an ablution. Only the wind coming out of a man's or woman's front does not break an ablution. This happens with very few people. The worms coming out of the mouth, ears or a wound on the skin do not break an ablution. When the point of an enema or a man's finger is inserted into one's back and taken out, if it is moist it breaks an ablution. If it is dry, it would still be better to renew the ablution. The case is so with everything that is partly inserted into the anus. If something is inserted and taken out wholly, it breaks both an ablution and a fast. If a person's hemorrhoids come out and he drives them back in with his hand or with something like a cloth, his ablution will be broken.

When a man puts some oil in his urethra and it flows out, it does not break his ablution according to *Imâm-i a'zam*. When a woman applies vaginal lavage, the liquid that flows out breaks her ablution.

It is permissible for a man to insert into his urethra a small natural cotton wick lest he will release urine inadvertently. In case there is suspicion of leakage, it is mustahab for a man to do this. But if he sees that it prevents leakage, it will be *wâjib* for him to use it. Synthetic cotton is not advisable. Unless part of the cotton remaining outside is moistened, his ablution will not be broken. And if the cotton is dry when it is taken out, the ablution will not be broken, either. So is the case with the piece of cloth called *kursuf* which women insert in their front. But if a woman puts it on the crevice instead of inserting it, it breaks her ablution when its inner surface is moistened. If the cotton is put in wholly it breaks the ablution if it is wet when it is taken out. A piece of natural cotton that has been inserted into the back and which is lost breaks an ablution even if it is dry when it comes out. It is mustahab for virgins to use *kursuf* only during menstruation and for those who are married or widows to always use it. If a person finds feces or urine stains on his underwear after *istinjâ* (cleaning oneself after urination or defecation) he must put a long piece of cotton between the buttocks and thus cover the anus, and, before performing an ablution, he must look at the cotton and put it back in its place if it is clean or change it if it is dirty.

He who suffers from enuresis (involuntary urination) should be extra careful lest his underwear will become dirty. For this, you need a square piece of cloth fifteen centimetres in length. Tying a piece of string about fifty centimetres in length to one of the corners of the cloth, you tie the other end of the string to a safety-

pin attached to the pants. Next the cloth is wrapped around the end of the penis and secured with the string wound on it and fastened with a knot. If the leakage of urine is too much, it must be reinforced with a piece of cotton, which should be thrown away whenever it is found wet with urine. If the cloth is wet, too, it must be removed, washed and dried so as to be used again. Thus a piece of cloth can be used for months. As the penis tapers off with old age, it becomes impossible to wrap a piece of cloth round its end. A way to resolve this difficulty would be to get a small waterproof pouch, with a piece of cloth in it, place the penis and the scrotum in the pouch and tie it up with a piece of string. In need of urination, the string is untied and the contents are taken out. If the cloth is wet it must be disposed of. People who practise this hygienic cleanliness will never suffer prostatic ailments.

The second group of things breaking an ablution consists of unclean things coming out of the mouth. Of these; vomit and thick blood, blood, food and water coming out of the stomach break an ablution when they amount to a mouthful. They all are **qaba najs** (grossly impure). Matter vomited by a suckling child is qaba najs. Vomiting phlegm will not break an ablution. Vomiting thin blood coming down from the head does not break an ablution if it is less than the spittle. Inside the mouth, in terms of an ablution, is deemed an inner limb, but it is considered an external limb when one is in a state of fasting. That is the reason why the blood issuing from a tooth or a wound inside the mouth does not break an ablution as long as it stays in the mouth. But after coming out of the mouth, if the blood is more than the spittle it breaks an ablution. Thick blood coming down from the head does not break an ablution even if it is more than the spittle. If the blood issuing from the stomach or from the lungs is thin it breaks an ablution even if it is less than the spittle, according to Shaikhayn (imâm-i a'zam Abû Hanifa and imâm-i Abû Yûsuf 'rahmatullâhi 'alaihimâ'). If any oil dropped into the ear goes out through the ear or the nose, it does not break an ablution. But if it goes out through the mouth it breaks an ablution. If something sniffed into the nose comes back, even if several days later, it does not break an ablution.

Third; blood, pus, or yellow liquid issuing through the skin, and colourless liquid issuing painfully break an ablution in Hanafi. The fact that these do not break one's ablution in Shafî'i and Mâlikî is written in the Persian book **Menâhij-ul-ibâd**. If the blood or the

yellow liquid issuing from a person with small-pox or from an abscess, ear, nose, wound, or colourless liquid that issues with pain or because of an ailment, spreads over the places that must be washed in a ghusl ablution, it breaks one's ablution. For instance, if blood coming down the nose descends beyond the bones it breaks an ablution. And if blood coming through the ears comes out of the ears it breaks an ablution. If one sponges the blood or the yellowish liquid on one's wound or boil (abscess) with cotton it breaks one's ablution. Colourless liquid issuing and flowing from them without pain or ailment does not break an ablution [according to **Tahtâwî**^[1]. If one sees blood on something one has just bitten into, one's ablution will not be broken. If one sees blood on the miswâk or on the tooth pick, this will not break one's ablution if the inside of the mouth has not been smeared with blood. On the other hand, it will break one's ablution if one puts one's finger on the suspected part in one's mouth and then sees blood on one's finger. If a person who suffers from sore eyes sheds tears all the time he is one who has an excuse. (The meaning of the phrase having an excuse will be explained later on). However, except when one has a sore, weeping for some other reason, such as because of onions, smoke and other kinds of gases, does not break an ablution. In the Shâfi'i Madhab an ablution is not broken in either case. A woman's suckling her child does not break her ablution. Sweating, no matter how much, does not break an ablution. Liquid coming out of the ears, navel or nipples because of some pain breaks an ablution. A leech sucking much blood breaks an ablution. Harmful insects such as flies, mosquitos, fleas and lice do not break an ablution even if they suck a great deal. A little blood on the skin that does not spread, blood which is formed in the mouth and which is not a mouthful, and a little vomit that is thrown up do not break an ablution; therefore they are not najâs.

The fourth cause that breaks an ablution is to sleep, in all four Madhhabs. In Hanâfi, sleeping in a position that will leave the anus loose, such as by lying on one's flank or back or by leaning on one's elbow or on something else, will break an ablution. If one does not fall down when the thing on which one leans is taken away suddenly, one's ablution is not broken. Sleeping in namâz

[1] Ahmad bin Muhammad bin Ismâ'il Tahtâwî 'rahmatullâhi 'alaih' (d. 1231 [A.D. 1815] was the Muftî of Cairo representing the Hanâfi Madhab.

does not break an ablution. Sleeping by drawing up the legs and putting the head on the knees, or by sitting cross-legged or on the knees, does not break an ablution. Sleeping by sitting with the feet on one side does not break an ablution. [This kind of sitting posture, which women do as they perform namâz, is called **tawarruk**.] If a person sleeps by erecting one of his shanks and sitting on the other thigh, his ablution will break. Sleeping on a bare animal does not break an ablution, provided the animal is going uphill or on a level road. Sleeping on a saddle and panel does not break an ablution in any case.

Fifth; fainting, going crazy, or having an epileptic fit breaks an ablution. Being as drunk as to waver when walking breaks an ablution.

Sixth; laughter during namâz with rukû's and sajdas breaks both the namâz and the ablution. But it does not break a child's ablution. When a Muslim performing namâz smiles, their namâz or ablution will not be annulled. When heard by others present, it is called a laughter. When one does not hear one's own laughing it is called smiling. If no one but the person who laughs hears it, it is called **dahk**, which breaks the namâz only.

The seventh cause is **Mubâsharat-i fâhisha**; that is, when a man and woman physically rub their private parts (saw'atayn) on each other. In this case, the ablution of both the man and woman is broken. In Hanafi, touching a woman's skin, lustfully as it may be, does not break a man's ablution.

Cutting one's hair, beard, moustache or nails does not break one's ablution. It is not necessary to wash the limbs whereon the cutting took place. It is written in the Persian explanation of **Fiqh-i-Ghidâni**: "Cutting the nails does not break an ablution. It is mustahab to wash the hands after the cutting." A scab that falls off a wound or sore does not break it, either.

Any slashes on the skin must be washed when making an ablution. If one cannot put water on it, one makes masah. If masah is not possible, either, one may omit it. If one has put some ointment on a slash on one's foot, one washes over the ointment. If washing will harm the slash, one makes masah over it. If the ointment drains off after washing, one washes under it if the slash has healed. If it has not healed one does not wash it. [See chapter 5]. If one has wounds on both hands, and if washing will be harmful, one makes tayammum. If one hand is healthy, one uses it for ablution. If one's hand has been cut off from the elbow or if one's foot is cut off by the heel, one washes the place of the cut.

Halabî-yi kebîr writes; “If a person knows that he has performed ablution and doubts if it has been broken later, it is judged that he has an ablution. If he knows that his ablution has been broken and doubts whether he has performed an ablution again, he has to perform an ablution. If he doubts whether he has washed a certain limb while performing an ablution, he washes the limb. If he has the doubt after finishing the ablution it is not necessary to wash the doubtful limb. If a person who notices some wetness on himself after performing an ablution doubts whether it is urine or water, he performs ablution again if this happens to him for the first time. If it often happens to him, it will be understood that it is a doubt caused by the satan; therefore, he will not renew the ablution. In order to eliminate such doubts, he must sprinkle water into his pants or underwear [**Kimyâ-yi sa'âdat**], or use a cellulosic cotton wick. If a person doubts whether his pots, pans, garments, body, water, well, pond, or whether butter, bread, clothes, food and others prepared by the ignorant or by disbelievers are dirty, they are to be judged clean.”

It is harâm for a person without an ablution to hold the Qur’ân al-kerîm. It is permissible to recite it without an ablution. It is sunnat to go to bed with an ablution. It is written in the explanation of **Shir'at-ul-islâm**: “It is permissible and blessed to recite the Qur’ân al-kerîm without an ablution while lying in bed. But, one must hold one’s head out of the blanket and put one’s legs together.”

In case of (one of) exudations called wedî and medhî, ablution is broken according to all four Madhhabs. In fact, ghusl is necessary in the Hanbâlî Madhhab [**Inâya**]. It is harâm to enter a mosque when you are junub or during menstruation, and it is makrûh without an ablution [**Durar Gurar**]. If frontal or anal emissions which normally break an ablution take place because of an illness and there is haraj [difficulty] in making an ablution for such reasons as extremely cold weather, illness or old age, one’s ablution will not be broken according to the Mâlikî Madhhab.

It is stated in **Kitâb-ur-rahma**: “Continuous involuntary urination is termed ‘silis-ul-bawl (enuresis).’ One cup of chick-peas and two cups of vinegar are put in a container. Three days later, three chick-peas and one teaspoonful of vinegar are taken three times daily. Or, one spoonful of seeds of rue and ginger and cinnamon and blackpepper are pulverized and mixed. One teaspoonful of the mixture is taken with water, once early in the morning, without having eaten anything, and once before going to

bed at night. The medical book entitled **Menâfi’-un-nâs** (and written in Turkish in the hegiral year 986 [A.D. 1578] by Dervish Nidâî) contains various medical formulas devised and recommended for the treatment of incontinence of urine. One of them is this: Two dirhams of frankincense is mixed with two dirhams of black cumin and four dirhams of honey and the mixture is consumed piecemeal, one piece as big as a walnut in the morning and another in the evening. Frankincense is an aromatic gum resin from trees (called *Boswellia*). It is like chewing gum. It is known by its smell.

3 – MASAH (wiping) ON MESTS; HAVING AN 'UDHR (EXCUSE)

MASAH OVER MESTS - While performing an ablution, it is permissible both for a man and for a woman to make masah over their mests once with wet hands instead of washing the feet, even if there is no excuse or obligation for doing so. Our Prophet ‘sall-Allâhu ’alaihi wa sallam’ put mests on his blessed feet, made masah on them and said that it was permissible. Masah on mests is not applicable in tayammum. When making tayammum it is not farz to make masah on the feet.

A mest is a waterproof shoe covering that part of the foot which is fard to wash (in ablution). When the mests are so big that the toes do not reach the ends of the mests and masah is made on the vacant sections, masah will not be acceptable. If the mouths of the mests are so wide that the feet can be seen when looking down from above, this will not mar the soundness of the masah performed. The mests must be strong and fit well enough so that the feet would not go out of them if you took an hour’s walk. Mests cannot be made of wood, glass or metal. For one cannot walk for an hour in something hard. Masah is permissible on any socks whose soles and parts on the toes or only soles are covered with leather or which are so tough that they will not fall down when walked in. [In the Mâlikî Madhab, the mests have to be of leather.] When a person wearing mests loses his ablution, whatever the means, the state of being without an ablution spreads throughout the limbs of ablution and the mests, but not the feet. To retain the state of ablution upon the mest, we simply make masah on them. This indicates that the mests prevent the state of hadas (being without an ablution) from reaching the feet. Therefore, if a person washes his feet only, puts on his mests, and then completes his ablution, and loses his ablution afterwards, he can make masah on his mests when he performs his ablution later.

For it is not necessary to have completed the ablution when putting on mests^[1]. However, an ablution that was somehow nullified must have been re-performed fully. For example, if he has put on his mests after making a tayammum, his ablution which will become null and void when he finds water was not an ablution performed fully; therefore, he cannot make masah when he re-performs the ablution with water. In this case, he washes his feet, too. If a person with an excuse performs a full ablution and puts on his mests before the excuse (e.g. blood) issues, he can make masah for twenty-four hours even if his ablution is broken by the excuse. But if he puts them on after the excuse has issued, he can make masah only within the time of that namâz.

The duration of time one can continuously make masah on mests is twenty-four hours for a settled person and three days plus three nights, i.e. seventy-two hours, for someone on a long-distance journey (termed safar). This duration begins not when one puts on the mests, but when one's ablution is broken after putting on the mests. It is written in **Fatâwâ-i Khayriyyâ** that the duration of time for masah for a person with an excuse is until the end of each prayer time. If a person with an excuse performs an ablution when the cause of his excuse is over and puts on his mests before the cause begins again, he will have put them on with tahârat-i kâmila (precise purification), and he can make masah for twenty-four hours. [In the Mâlikî Madhhab, masah is permissible until one has to take off the mests for ghusl.]

In the Hanâfi Madhhab, masah is done on the upper faces of the mests, not under the soles. To perform the masah in accordance with the sunnat, the entire five moistened fingers of the right hand are put in their full length on the right mest and fingers of the left hand on the left mest, then they are drawn up

[1] In other words, the condition to be observed before putting on the mests is to make sure that you have washed your feet; once you have washed your feet and put on your mests, you may then complete your ablution and from then on utilize the benefit of making masah on your mests till the end of the prescribed period of time, (unless something to break an ablution happened between the time you put on your mests and the time you completed your ablution.). This convenience cannot be utilized by Muslims in the Shâfi'i Madhhab or those who imitate the Shâfi'i Madhhab, since it is fard in the Shâfi'i Madhhab to wash the limbs in the prescribed order, or by Muslims in the Mâlikî Madhhab or who imitate the Mâlikî Madhhab, since it is fard in the Mâlikî Madhhab to wash the limbs of ablution in an unbroken succession.

towards the legs beginning from the ends (of the mests) right on the toes. The palms of the hands must not touch the mests. It is fard that masah cover an area as wide and as long as three fingers of the hand. To do this, it will be enough to put three fingers or the ends of the fingers which are so wet as water should be dropping from them or the palm of the hand together with the fingers, or only the palm on the toe end of the mest and to draw them towards the leg. It is also permissible to put the fingers on the outer side of the mest and to rub them gently across its width. Though masah with the back of the hands is permissible as well, it is sunnat to make masah with the inner parts of the hands. It is not permissible to make masah under the mests, on the sides of the heels or on the parts towards the legs. [In the Mâlikî Madhab, the right hand is moistened and the lowest parts of the fingers are placed on the upper end of the right mest. Then, the tip of the thumb being on the left side and the tips of the other fingers being on the right, the hand is drawn up towards the mouth (of the mest). Then the moistened (left) hand is put likewise under the mest and drawn via the back of the heel towards the mouth. Next, the same procedure is followed with the left mest, yet this time the right hand will be used for the sole of the mest and the left hand for the upper part. This practice is mustahab (causes blessings)]. After washing a limb, you can make masah on the mests with the wetness remaining on your hands. But you cannot make masah with the wetness remaining from the masah of a limb, e.g. the head or the neck. If a person who has performed an ablution puts on his mests and does not make masah but instead puts his feet with the mests on into water when he performs ablution again, this will replace the masah, if one of their feet or more than half of it has not been moistened. If water penetrates and moistens the feet, they will have to take off their mests and wash their feet, too. If the outer surface of the mests are moistened by walking on damp grass or by rain, this replaces the masah, for which intention is unnecessary. If a person wearing mests sets out for a journey within twenty-four hours after the breaking of his ablution, he can make masah on his mests for three days plus three nights. If this person were making a long-distance journey (when his ablution was broken) and became settled twenty-four hours or longer later (after the breaking of his ablution), he would (have to) take off his mests and wash his feet when he needed to perform an ablution. In the Mâlikî Madhab there is no time limit for masah on mests. If a person puts on

another pair of mests, wellingtons, glosches, plastic or nylon shoes on his mests before his ablution is broken, he can make masah on the outer footwear if they are waterproof. Even if they allow considerable water through, he can make masah on them, too. For, in this case the inner pair will get moistened and he will have thereby made masah on the inner pair. If he has put on the outer pair after his ablution has been broken, he can make masah on the inner pair only. If one of the outer shoes goes off his foot after he has made masah on them, he must immediately take off the other one, and make masah on the inner mests. It is permissible as well not to take off the other one and to make masah on it also. It is not permissible to make masah on any mest which has a rip large enough to let three toes through. It is permissible if the rip is smaller than this. [In the Mâlikî Madhhâb, if the rip is smaller than one-third of the foot, masah is permissible. In Mâlikî, again, whereas it is sunnat for the body and the clothes to be clean, it is fard for the mests to be clean.] If small rips at several places on a mest amount to three toes if they were put together, it is not permissible to make masah on it. If one mest has a rip through which two toes can be seen and the other has a rip which would allow two toes or one to be seen, one can make masah on them. For (the limit of) three toes covers one mest, not two. However, the amounts of najâsat or the awrat parts^[1] that are seen on a person's various limbs are combined and his case is judged accordingly. The size of the rip that makes masah unacceptable is large enough to let the whole of the three toes, not only the three tiptoes, to be seen. If the rip happens to be on the toes, the toes (that are seen) will be counted. But if it is at some other part, it must not be large enough to allow three small toes to be seen. If the rip is longer than three toes, but if its opening is smaller than three toes, masah is permissible. If a mest is torn by the seam, and yet if it does not open and the toes cannot be seen, masah is permissible. If the rent or rip opens and three toes can be seen as one walks, although it may not open when one stands still, masah cannot be made. If vice versa, masah is permissible. Any rent above the heel bones does not prevent masah no matter how large it is. For, it is not necessary for the mests to cover these parts. It is permissible to make masah on any mests or shoes that are buttoned, fastened, zipped on the tops or sides. [The mest

[1] Parts of a person's body that a person has to keep covered are called awrat parts. This subject, which is rather detailed, will be dealt with later in the text.

should not have any rips or holes according to the Shâfi'î Madhhab.]

When the heel of a foot goes out of the mest, it must be judged that the mest has gone off the foot. Yet the majority of books state that unless more than half of the foot has left that part of the mest which is level with the heel bone, the mest will not be judged to have gone off the foot. Accordingly, the masah of a person is permissible whose mests are over-sized and whose heels move in and out of the mests as he walks. His ablution is not broken when walking.

If a mest has a rip wider than three toes, and yet if its lining is strong and sewn on the mest so that the foot is not seen, masah on it is permissible.

When one or both of a person's feet go out of the mests, his ablution is not broken for that moment. The breaking of his ablution has now spread on the feet. If he, therefore, washes only his feet, he will have completed the ablution during which he made masah. Also, when the duration of masah is over he washes his feet only. However, it has been declared (by Islamic scholars) that it would be better to perform a new ablution in either case. For, muwâlât, (i.e. washing the limbs one immediately after another,) is sunnat in the Hanâfî Madhhab and fard in the Mâlikî Madhhab.

It is not permissible to make masah on a turban or skullcap, on a headgear, on a veil or mask, or on gloves.

It is permissible to make masah on splints, that is, on strips of wood bound to a broken bone on both sides. The ointment, the cotton, the wick, the gauze, the plaster, the bandage or the like, which is put on or in a wound, boil, or cut or crack on the skin, if it will be harmful to untie it or to take it off, or if after taking it off washing or masah will harm the wound, we pour water on it if it is waterproof, e.g. covered with an ointment or rubber. If it lets water through we make masah on it. If cold water will do harm to a wound, warm water must be used. If warm water will be harmful it is necessary to make masah on it. If masah will be harmful, too, we make masah on what is on it. We can make masah on that part of the bandage coinciding with the healthy part of the skin as well as on the skin under the bandage. It is acceptable to make masah on more than half of it. If even this masah will do harm to the wound, we do not make masah. If it will not be harmful to make masah on it, it is necessary to make masah. If it will not be harmful to take it off and wash the healthy part of the skin under it, it is necessary to do so. [As is written in

the book **Al-fiqh-u 'alal-madhâhib-il-arba'a**, the four Madhhabs are unanimous in the fact that the permissibility of making masah on a bandage or ointment applied on a wound is dependent on the condition that washing the wound or making masah on it would aggravate the wound. Aggravation means a delay in recovery or an exacerbation of pain.] If, after the masah, it is taken off or falls off before the wound heals, the masah does not become null and void. If it falls off after the wound heals, it becomes necessary to wash under it. Masah on any of all these things (which are mentioned above) replaces washing under it. He who makes masah on one of them is not a person with an excuse. He can be an imâm for others. Any part which a specialist Muslim doctor has said must not be washed is like a wound. In making masah on it a man, a woman, a muhdis and a junub are all in the same category. Intention is not necessary for any of them. Ibni Âbidîn 'rahmatullâhu 'alaîh', after explaining the fards in an ablution, writes: "If a person who has a wound or cut on his hand cannot use water, that is, if he cannot wash his hands with water or put his face, head, ears or feet in the water he makes tayammum. A person one part of whose arm or foot has been cut away washes the surface of the remaining part." If a prisoner who is fastened by the hands and feet cannot perform tayammum, without an ablution he makes the rukú' and sajda without reciting the súras. If he cannot do this, either, he performs the namâz standing by making signs. When he becomes free he performs it again.

A person **WITH AN 'UDHR (EXCUSE)** performs an ablution whenever he likes. With this ablution he performs as many fard and supererogatory prayers of namâz as he likes and reads the Qur'ân as much as he likes. When the prescribed time of namâz is over, his ablution is broken automatically. Performing a new ablution after each prayer time arrives, he does any kind of worship until the time is over. He cannot perform a prayer of namâz with the ablution he made before the time of the prayer has arrived. With the exception of early afternoon prayer, he cannot perform any of the other four prayers with an ablution he has made before the beginning of that prayer time. For, the beginning of early afternoon prayer is not at the same time the end of another prayer time. The continuous excuse of a person does not break his ablution within a prayer time. However, it will be broken by another cause. When the prayer time is over it will be broken by the excuse, too.

Having an excuse requires that something is breaking the ablution continuously. A person who, within the duration of any prayer of namâz which is fard to perform, would fail to keep his ablution even as long as to perform only the fard namâz if he made an ablution at any time from the beginning till the end of the time of the namâz, becomes an excused person at the moment he notices his excuse. For example, if one of the causes breaking an ablution exists continuously, such as the blood of istihâda (see the following chapter), urine and other issues, diarrhoea, incontinent wind-breaking, the issuing of blood and pus from a wound, the oozing of blood or any liquid from the nipples, navel, nose, eyes, or ears because of some pain, that is, if from the beginning till the end of any prescribed prayer time one could not stop it as long as to make an ablution and perform only the fard part of a prayer, one becomes a person with an excuse. If the excuse begins long enough to perform the fard prayer after the arrival of the prayer time, one waits until it is nearly the end of the prayer time and, if it has not stopped, makes an ablution at the end of the time and performs the namâz of the time. After the time of the namâz is over, if it stops within the time of the next prayer of namâz, one performs one's former namâz again. If it never stops from the beginning until the end of the time of the next prayer time of namâz, this means that one has become a person with an excuse and will not have to perform one's former namâz again.

[It is stated in (the book) **Al-fiqh-u'alal madhâhib-il-arba'a**: “According to a second report in the Mâlikî Madhhâb, for having an 'udhr (excuse), it will be enough for the involuntary emission that is a result of some illness and which breaks an ablution to occur only once. It does not need to continue throughout the duration of time allotted for a prayer of namâz. Those invalid or old people who suffer involuntary urination or windbreaking before or during namâz, in case of haraj and difficulty, are permitted to imitate the Mâlikî Madh-hab lest they should lose their ablution, which would consequently cost them their namâz; in this case, it will be sahîh for them to be imâm (and conduct the namâz in jamâ'at).”]

If the excuse of a person who has an excuse oozes once and only for a little while during the time of each following prayer of namâz, his excuse will be considered to be going on. If it never oozes within the time of any namâz, that is, if any time of namâz elapses without an excuse from the beginning to the end, the

person will no longer be in the state of having an excuse. If his excuse stops while making an ablution or while performing namâz and does not begin again until the end of the time of the second next prayer of namâz, he re-performs the ablution and the namâz which he performed when he had the excuse. Yet if it stopped after the namâz had been completed, or after having sat as long as the tashahhud (in the last rak'at), he would not perform the namâz again. As well, a person who sees water after having performed the namâz with a tayammum (he made instead of making an ablution for some reason the Sharî'at approves of), does not perform his namâz again. It is wâjib to stop the excuse by means of medication, by binding it or by sitting and performing the namâz with signs. If it is expected that one dirham of blood or the like, when washed, will not spread again until the namâz is performed, it is wâjib to wash it. [An excuse includes only the things that break an ablution. A person who cannot perform an ablution or ghusl is not a person with an excuse. Depending on the situation, he makes masah or performs tayammum and performs his namâz like a healthy person].

In the explanation of namâz in jamâ'at, (which will be explained in detail in Chapter 20), it is stated that a person with an excuse cannot be an imâm for healthy people. In this context, in addition to being without an ablution continuously, having more than one dirham of najâsat on you and being naked and being unable to read the Qur'ân al-kerîm correctly are counted as excuses. Therefore, a person with one of these excuses cannot be an imâm for those who do not have these excuses. Also, it is explained in the section on ghusl ablution, (which will be dealt with in the next chapter,) that a person with a filled or crowned tooth should imitate (follow) the Shâfi'î or Mâlikî Madhab in order to conduct a namâz in jamâ'at as the imâm for the Hanafîs who are without filled or crowned teeth. [Please see chapter 20.]

A person who is ill and has an excuse can make up his debt of prayers which he did not perform when he did not have an excuse. Alms or any other kind of charity can by no means replace an omitted prayer of namâz. Heresies written by Ibni Taymiyya should not be taken for granted.

4 – GHUSL ABLUTION

An acceptable namâz requires a correct ablution and a correct ghusl. Ibni 'Âbidîn wrote in his explanation of **Durr-ul-mukhtâr**: "It is fard for every woman or man who is junub and for every

woman after **haid** (menstruation) and nifâs (puerperium) to perform a ghusl ablution when there is enough time to perform the time's namâz before that prayer's time expires."

There are uncountable blessings for those who do the fard. And those who do not perform the fard are gravely sinful. Rasûlullah 'sall-Allâhu 'alaihi wa sallam' states in a hadîth-i şerîf written in the book **Ghunyat-ut-tâlibîn**: "**A person who gets up in order to perform a ghusl ablution will be given as many blessings as the hairs on his body** [which means very many], **and that many of his sins will be forgiven. He will be promoted to a higher rank in Paradise. The blessings which he will be given on account of his ghusl are more useful than anything in the world. Allâhu ta'âlâ will declare to angels: 'Look at this slave of Mine! Without showing any reluctance, he thinks of My command and gets up at night and performs a ghusl from janâbat. Bear witness that I have forgiven the sins of this slave of Mine.'**"

A hadîth-i şerîf written on the ninety-first page of the Turkish book entitled **Hujjat-ul-islâm** declares: "**When you become impure, hasten to perform a ghusl ablution! For, the angels of kirâman kâtibîn are hurt by the person who goes about in a state of janâbat.**" It is written on the same page: "Hadrat Imâm-i Ghazâlî said he had dreamt of a person saying, 'I remained junub for a while. As a result, they have put a shirt of fire on me. And I am still on fire.' " A hadîth-i şerîf existing in the books **Zawâjir** and **Risâla-i unsîyya** declares; "**Angels of (Allah's) compassion do not enter a residence that contains a picture, a dog, or a junub person.** It is written in **Zawâjir** that if a person, regardless of whether he performs his daily prayers of namâz regularly, spends a prayer time junub, he will be tormented bitterly. For example, a person who becomes junub after the adhân of early afternoon (Zuhr) has to perform a ghusl before late afternoon ('Asr) prayer if he has not performed his early afternoon prayer, and before evening (Maghrib) prayer if he has performed his early afternoon prayer. If he cannot take a bath with water he must make a tayammum.

According to the Hanâfi Madhhâb there are three fards in a ghusl:

1 - To wash the entire mouth very well. Drinking a mouthful of water will do, yet some (savants) said that it would be makrûh.

2 - To wash the nostrils. A ghusl will not be accepted if one does not wash under any dried mucus in the nostrils or under any chewed pieces of bread in the mouth. According to the Hanbalî

Madhab madmada and istinshâq are fard both in ablution and in ghusl. (See the previously explained eighteen sunnats of ablution).

3 - To wash every part of the body. It is fard to wash every spot on the body if there is no **haraj** (difficulty) in wetting it. It is not necessary but mustahab to rub the parts gently. Imâm-i Mâlik and Imâm-i Abû Yûsuf said that it is necessary. It is fard to wash inside the navel, the moustache, the eyebrows and the beard as well as the skin under them, the hair on the head and the vulva. It is not fard, but mustahab to wash the eyes, the closed ear ring holes and under the foreskin. When a woman washes the skin under her plaited hair it is not necessary to wash the plait. If the skin under the hair cannot be washed it becomes necessary to undo the plait. It is fard to wash all parts of the hair that is not plaited. If a person gets a haircut, it is not necessary to wash the hair cut [or other hairs or nails cut]. It is written on the two hundred and seventy-fifth page of the fifth volume of **Ibni 'Âbidîn** 'rahmatullâhi 'alaih': "It is makrûh to shave the groin when you are junub." [Hence it is makrûh also to get a haircut or to cut one's nails when you are junub.] It is not fard to wash under the dirt caused by fleas and flies, under henna, under the skin's natural dirt or under any fluid oil or mud. It is necessary to wash under the waterproof things stuck to the skin such as dough, wax, gum, solid oil, fish scale, a chewed piece of bread [and fingernail polish]. If water does not soak through the food remains in the teeth or cavities, or if the parts under them are not washed, the ghusl will not be acceptable. If a ring is tight it is necessary to take it off or to shift it. So is the case with earrings. If there are no rings in the ring holes, and if the holes are open, when washing the ears, it will be enough to moisten the holes. If they do not get wet you must wet them with your fingers. In doing all these it will be enough to believe strongly that they have become wet. If a person forgets to wash his mouth or some other part and performs namâz and then remembers that he has not washed it, he washes the part and performs the fard part of the namâz again. If you cannot find a secluded place when you need to check a part of your body that (you should not let other people see and which) is (called) your awrat part, you should wait until others leave the place instead of exposing your awrat part in company. If the time of namâz becomes short you should not make tahârat (clean yourself) when others are present; you should perform namâz with najâsat on your pants instead of cleaning your pants, since it is more blessed

to abstain from the harâm than doing the fard. When you find a secluded place later, you make tahârat, wash your pants and perform that namâz again.

An ablution and a ghusl do not have wâjibs. The sunnats of a ghusl are like the sunnats of an ablution. Only, in a ghusl it is not sunnat to wash in the same sequence as done in an ablution. Their mustahabs are the same, too, with the mere difference that in a ghusl one does not turn towards the qibla or recite any prayers. If a person who has gotten soaked in a pool, a river or the sea or drenched by rain washes his mouth and nose too, he will have performed an ablution and a ghusl.

To perform a ghusl as prescribed in the sunnat, we must first wash both of our hands and private parts even if they may be clean. Then, if there is any najâsat on our body, we must wash it away. Then we must perform a complete ablution. While washing our face we must intend to perform a ghusl. If water will not accumulate under our feet, we must wash our feet, too. Then we must pour water on our entire body three times. To do this, we must pour it on our head three times first, then on our right shoulder three times and then on the left shoulder three times. Each time the part on which we pour water must become completely wet. We must also rub it gently during the first pouring. In a ghusl, it is permissible to pour the water on one limb so as to make it flow onto another limb, which, in this case, will be cleaned, too. For in a ghusl the whole body is counted as one limb. If in performing an ablution the water poured on one limb moistens another limb, the second limb will not be considered to have been washed. When a ghusl is completed it is makrûh to perform an ablution again. But it will become necessary to perform an ablution again if it is broken while making a ghusl. Those who imitate the Shâfiî and Mâlikî Madhhabs should remember this point. It is permissible to perform it at some other place even if it has not been broken or to perform it again after performing namâz.

In an ablution and a ghusl it is extravagant, which is harâm, to use more than the necessary amount of water. With eight ritl of water [which is equal to one thousand and forty dirham-i shar'î or three and a half kilograms], one can make a ghusl compatibly with the sunnat. Rasûlullah 'sall-Allâhu 'alaihi wa sallam' would perform an ablution with one moud [two ritl or 875 gr.] of water, and he would make a ghusl with water the volume of one Sâ'. [One Sâ' is 4200 grams of water. According to an experiment

conducted with lentils by this faqîr –Husayn Hilmi bin Sa’îd İstanbullî ‘rahmatullâhi ’alaih’ means himself–, one Sâ’ is 4.2 litres, that is, four litres plus one-fifth a litre.]

[In the Hanâfi Madhhâb, if the area between the teeth and the tooth cavities do not get wet a ghusl will not be acceptable. Therefore, when one has one’s teeth crowned or filled without **darûrat** one’s ghusl will not be **sâhih** (acceptable). One will not get out of the state of **janâbat**. Yes, it is permissible according to Imâm-i Muhammad to fasten one’s loose teeth with gold wires or to put gold teeth in place of one’s extracted teeth. Yet Imâm-i a’zam was of the ijtihâd that gold was not permissible. Imâm-i Abû Yûsuf, according to some reports, said as Imâm-i Muhammad said. It is said (by savants) that the permission given to Arfaja bin Sa’d, one of the Sahâba, so that he could use a gold nose, is, according to Imâm-i a’zam, peculiar to Arfaja only. As a matter of fact, Zubayr and Abdurrahmân ‘radîy-Allâhu ta’âlâ ’anhumâ’ were permitted to wear silk garments, and this permission is said (by savants) to have been peculiar only to them. But the fatwâ is based upon the word of Imâm-i Muhammad, which gives permission to wear gold teeth, ears or nose that can be taken out when performing a ghusl. This difference between our imâms is on whether or not artificial teeth and the wires fastened to the loose teeth may be of gold, and it is in cases when they can be removed so as not to prevent the performance of a ghusl. But in a ghusl all the imâms of the Hanâfi Madhhâb say that the teeth must be wetted. In other words, when water does not go under the artificial teeth, which may be made of gold, silver, or any other substance that is not najs, a ghusl ablution will not be acceptable according to all the savants of Hanâfi Madhhâb.

It is written in **Halabî-i kebîr**: “If food remains are left between the teeth and one cannot wash under them a ghusl will be acceptable. For water is fluid and can infiltrate under the remains. But if the remains have been chewed and become solid, a ghusl will not be acceptable. This is the truth of the matter. For, water cannot infiltrate under them. There is no **darûrat** or **haraj**^[1] in this.” **Qâdî Khân** writes referring to Nâtîff: “If there are food remains between the teeth a ghusl will not be valid. It is necessary to pick them out and to wash the places under them.”

It is written in **Al-majmû’at-uz-zuhdiyya**: “Whether little or much, if the food remains between the teeth become solid like

[1] For definition see the following pages.

dough and thereby prevent water from filtering through, they will prevent the ghusl.”

It is written in **Durr-ul-mukhtâr**: “There are those (scholars) who have given the fatwâ that anything between the teeth or in any tooth cavity would not harm a ghusl ablution, but if the stuff is solid and does not let water through, a ghusl ablution will not be acceptable. This is the very truth itself.” In explaining this Ibni ’Âbidîn ‘rahmatullâhi ’alaih’ wrote: “The reason why the fatwâ was given that it would do no harm was because water would infiltrate under it and wet the part beneath it.” The book **Khulâsat-ul-fatâwâ** writes the same. As is understood from the fatwâ, if water does not go under it, a ghusl will not be accepted. The same is written in the book **Hilya**. The same is also written in the book of annotation **Minyat-ul-musallî**, which adds: “The present matter involves a situation in which water does not reach the tooth, and in which no darûrat or haraj is involved.”

Tahtâwî, explaining **Marâqil-falâh**, wrote: “If water goes under the food remains between the teeth and in the tooth cavities a ghusl will be accepted. If they are too solid to let water through, a ghusl will not be accepted. The same is written in **Fath-ul-qadir**.

Allâma Sayyid Ahmad Tahtâwî wrote in his explanation of **Durr-ul-mukhtâr**: “Because water will infiltrate under the food remains between the teeth and in tooth cavities, they do not prevent the performance of a ghusl. If you doubt whether water infiltrates under them you must take them out, wash in between the teeth and the cavities.”

In acts and manners of worship and in acts, thoughts and manners that are harâm, every Muslim should follow the words of the scholars of his Madhab, such as, “**This is the fatwâ**”, “**This is the best**,” “**This is the truest word**.” If something he has done of his own accord hinders him from following the word of the scholar(s) he has adopted as his guide, and if there is haraj, difficulty, in eliminating that hindrance, he must follow another word which is declared to be right in his own Madhab. For example, it is harâm to put the date of payment on the promissory-note of a person to whom you lend money; it involves interest. But by transferring it to someone else it will be permissible for either of them to pay it on a certain date. If you cannot do so, either, supposing you are in the Hanafi Madhab, you act following those **daîf** words of the scholars of the Hanafi Madhab which have not been chosen as a fatwâ. (See Endless Bliss II, chapter 33.) If you still cannot find a way out, you will

have to act by imitating, i.e., following one of the other three Madhhabs. Hanaff scholars report that it is wâjib for you to imitate another Madhhab. For example, **Ibni 'Âbidîn**, while explaining **ta'zîr** on page 190, vol. III wrote: "Great 'âlim **Ibni Amîr Hâj** says in the book **Sharkh-i Tahrîr**: 'It is necessary to act upon the word of a certain mujtahid and to imitate another mujtahid when the necessity arises; this fact is clearly shown by a **Shar'i dalîl** (proof-text).' The Shar'i dalîl is the âyat-i kerîma "**Ask those who know.**" When you come upon a certain new situation, you inquire into ways of dealing with this situation. If you know that a mujtahid has prescribed how to deal with this situation, it becomes wâjib for you to accept that mujtahid's prescription." Hence, it is wâjib to imitate another Madhhab (in that case). If it is impossible to follow another Madhhab, you should see if there is a darûrat to do the thing which causes the haraj.

A - If there is a darûrat to do something that causes haraj, it will be permissible for you not to do that fard at all, or to commit a harâm to the extent that the darûrat forces you to. The same is valid if the haraj is still present when the darûrat is over.

B - If the thing causing haraj has been done without a darûrat or if there are a few alternatives that can be done with a darûrat and you choose the one in which there is haraj, you are not permitted to omit the fard. Following this rule, scholars of fiqh have solved many problems. For example:

1 - Imâm-i Muhammad said, "When a loose tooth is tied with a silver wire, the silver will cause a noxious scent, but a gold wire will not cause it. Because there is a darûrat, it is not harâm to tie it with gold." And Imâm-i a'zam said, "A silver wire will not cause a noxious scent, either; so there is not a darûrat; consequently, it is harâm to tie it with a gold wire." In this case, Imâm-i Muhammad's 'rahmatullâhi ta'âlâ 'alaîh' solution is to be acted upon. There is no need to follow another Madhhab.

2 - If a man finds out (later) that his wife is his milk-sister by way of one or both having been suckled (even if) only once by the same mother, their nikâh will become void according to Hanaff Madhhab. They will either get divorced or follow the Shâfi'i Madhhab. If their walîs (guardians, protectors, parents) were not present during their nikâh, they have to renew their nikâh as prescribed by the Shâfi'i Madhhab. If suckling from the same mother took place five times and both children were fully satiated, it will not be possible to follow the Shâfi'i Madhhab and the pair will have to part. (Please see the seventh chapter of the sixth

fascicle for kinship through the milk tie.)

3 - If a person on board a long-distance bus cannot persuade the driver to make a brief stop for evening prayer, he gets off at a convenient place and performs the prayer on the ground and within the prescribed time. Thereafter he takes another bus going in the same direction. Another way Islam approves of is to follow the Shâfiî Madhhab and perform it after its prescribed time, i.e., together with the night prayer. If the prayer in question were late afternoon prayer and his destination were too far for him to perform the prayer within its time after arriving there, he would have to stop the bus, get off, and perform the prayer outside the bus. For, late afternoon prayer cannot be performed together with evening prayer in the Shâfiî Madhhab, either.

4 - If a woman sues her husband for a divorce because he is too poor to provide her **nafaqa** (sustenance, living), a Hanafî qâdî (judge) is not authorized to grant a divorce. But a Shâfiî qâdî is. The wife in the Hanafî Madhhab must apply to a Shâfiî qâdî. That judge will divorce her. The **hukm** (judgement) of this judge will be **nâfiz** (carried out). See the chapter on **nafaqa** in the sixth fascicle!

A **samâvî** (involuntary) reason that forces one to do something, that is, a situation which arises beyond one's will, is called a **darûrat**. Examples of darûrat are a commandment or prohibition of the Shârf'at, an incurable vehement pain, danger of losing one's limb or life, and a compulsory choice without an alternative. When it is difficult to prevent something from hindering the doing of a fard or from causing a harâm to be committed, the case is called **haraj**.

As has been mentioned earlier, according to the unanimity of the scholars of the Hanafî Madhhab 'rahmatullâhi 'alaihim ajma'in' the ghusl of a person who has had his teeth filled or capped for some reason will not be sahîh (valid). Scholars of the Hanafî Madhhab do not have another statement (on this subject) that a person could follow in order to make his ghusl sahîh. Some people say that it is permissible for him to perform a ghusl before having his tooth crowned or filled and then make masah on the crowning or the filling every time they make a ghusl, but they are wrong. For, masah on mests is peculiar to the feet and is done not in a ghusl but in an ablution. Nor would it be right to liken the crowning or the filling to a bandage on a wound; this subject will be elaborated on several pages ahead.

When there is haraj in performing an act of worship or in avoiding something that is harâm, it is necessary to imitate

another Madhhab which affords a solution without haraj; this fact is written in many books, e.g. in the fifty-first and the two hundred and fifty-sixth pages of the first volume and the five hundred and forty-second page of the second volume and in the one hundred ninetieth page of the third volume of **Ibni 'Âbidîn**, and in the eighteenth page of **Mîzan**, as well as in the final pages of the books **Hadîqa** and **Berîqa** and in **Fatâwâ-i hadîthiyya** and in the final pages of the section “Adab-ul-Qâdî” of **Fatâwâ-i Hayriyya**, in the 22nd letter of the third volume of **Maktûbât** of Imâm-i Rabbânî^[1]. It is also written in **Ma'fuwwât** and in its explanation by Mollâ Khalîl Si'ridîs 'rahmatullâhi ta'âlâ 'alaikh', a Shâfi'i scholar, and in its annotation. If the person who intends to imitate (another Madhhab) performed the present time's namâz before intending to imitate, the namâz will be sahîh (valid). But he will have to perform again his previous prayers of namâz which he performed before that. Tahtâwî writes as follows in the ninety-sixth page of his explanation of **Marâqil-falâh** and also in its Turkish version **Nî'mat-i İslâm**: “There is no harm in a Hanâffî's imitating the Shâfi'i Madhhab for doing something which he cannot do in his own Madhhab. The same is written in the books **Bahrurraiq** and **Nahrulfaiq**. But to do this he has to fulfill the conditions of the Shâfi'i Madhhab, too. If he imitates without haraj and does not observe the conditions he will be called a **Mulaffiq**, that is, one who looks for and gathers facilities. This is not permissible. A travelling person's performing late afternoon (**'Asr**) prayer together with the early afternoon (**Zuhr**) prayer and night (**Ishâ**) prayer together with evening (**Maghrib**) prayer by imitating the Shâfi'i Madhhab requires that he will recite the Fâtiha (sûra) when he performs these behind an imâm (in jamâ'at), and that he will perform an ablution again if his palm touches his own **Saw'atayn**, that is, his two most private parts, or if his skin touches a woman's skin, except the eighteen women who are eternally harâm (forbidden) for him to marry. And he must intend for an ablution and avoid even a little najâsat.” It is also permissible for him to imitate the Mâlikî Madhhab.

For imitating the Mâlikî or Shâfi'i Madhhab, it will suffice to remember that you are following the Mâlikî or Shâfi'i Madhhab when performing a ghusl or an ablution and when intending to perform namâz. In other words, the ghusl of such a person will be acceptable if, at the beginning, he passes this thought through his

[1] See the 34th chapter of Endless Bliss I.

heart: “I intend to perform ghusl and to follow the Mâlikî (or the Shâfi’î) Madhhab.” When a person in the Hanaffî Madhhab who has a crowned or filled tooth intends in this manner his ghusl will be sahîh. He will extricate himself from the state of being junub and become pure. When this person needs to perform namâz or to hold the Qur’ân he has to have an ablution that is valid also according to the Mâlikî or the Shâfi’î Madhhab. For those who imitate the Shâfi’î Madhhab; when the skins of two people of opposite sexes between whom a marriage would be permissible touch one another, an ablution of namâz, (not ghusl, that is,) becomes obligatory for both of them; for the same matter, when a person of either sex touches with their palm one of the two organs used for relieving nature on their own or someone else’s body, they will need an ablution for namâz. Being elderly or not having reached the state of puberty, if the child in question is attractive enough, provides no exemption from this rule in the Shâfi’î Madhhab. Moreover, (if you are to follow the Shâfi’î Madhhab,) you should recite the sûra of Fâtiha at every rak’at of a namâz even if you are performing it in jamâ’at, and you should be very scrupulous in avoiding najâsat. When you are late for the jamâ’at (for the first rak’at of the namâz, for instance), you bow for rukû’ together with the imâm and do not recite a part or the whole of the Fâtiha. Imitating Shafî’î or Mâlikî Madhhab is not taqwâ; it is fatwâ, rukhsat (permission). Taqwâ is to replace the crowned and filled teeth with false teeth.

To attain the compassion expressed in the hadîth-i sherîf, **“Differences among the mujtahids of my Ummat are Allah’s compassion,”** which signifies the four Madhhabs, those Hanafis who have filled or crowned teeth can extricate themselves from the state of being junub by following the Mâlikî or Shâfi’î Madhhab. For, it is not fard in the Madhhabs of Shâfi’î and Mâlikî to wash inside the mouth or the nostrils while performing a ghusl. But it is fard to intend to perform a ghusl. As a person imitates another Madhhab (on account of a haraj that makes it impossible for him to follow his own Madhhab in a particular matter), if a second haraj arises preventing his performance from being sahîh according to the Madhhab he has been imitating but not according to his own Madhhab or according to a third Madhhab, he maintains his performance by exploiting an eclecticism of the three Madhhabs. The kind of talfiq (unification) which scholars such as Izz-ad-dîn bin Abd-is-salâm Shâfi’î and Imâm-i-Subkî and Ibni Humâm and Qâsim say is permissible is this kind of imitation

compelled by two different excuses. In case it is impossible to imitate the third Madhhab, his excuse in his own Madhhab becomes a darûrat and his worship becomes sahîh (acceptable). If the second excuse is not a continuous one, the worship he performs during the suspension of this excuse becomes sahîh according to this (second) Madhhab. As is seen, when a person imitates a third Madhhab because of an excuse making it impossible to follow the second Madhhab, this does not mean talfiq (unification of Madhhabs).

Since the ghusl of a person who is in the Hanâfi Madhhab will not be sahîh (valid) as long as his teeth are crowned or filled, his prayers of namâz will not be sahîh, either. He has to perform his prayers again which he had performed until he began to imitate the Shâfi'i or Mâlikî Madhhab. Later on we shall explain how to perform the omitted fard prayers instead of the sunnat of each prayer. (See chapter 23).

Some people have been asking if there are any âyats or hadîths on the washing of the teeth. It should be known quite well that the **Adilla-i shar'iyya** are four. It is a lâ-madhhabi's attitude to recognize only two of them. Today there seem to be no qualified scholars on the earth who can derive meanings from âyats and hadîths. Having chosen one of the great scholars who understood the meanings of âyats and hadîths well and explained them in books of fiqh, we have made him our imâm, guide, leader, and have been performing our acts of worship in a manner shown by him. Our leader is Imâm-i a'zam Abû Hanîfa, 'rahmatullâhi ta'âlâ 'alaîh'. To imitate one of the four Madhhabs means to follow the Qur'ân al-kerîm and the hadith-i sherîfs.

There are eleven kinds of ghusl, five of which are fard. Two of them involve a woman performing a ghusl to get out of the states of **haid** (menstruation) and **nifâs** (puerperium.)

Haid means to flow. It is the blood that starts to flow from the genital organ of a healthy girl a few days or months or a number of years after she has passed eight years of age and reached her ninth year, or of a woman after a period of **Full purity** directly succeeding the last minute of her previous menstrual period, and which continues for at least three days, i.e. seventy-two mean hours from the moment it was first seen. This is also called **Sahîh Catamenia**. If no blood is seen within the fifteen or more days after a bleeding period, and if this duration (of purity) is preceded and followed by days of haid, these days of purity are called **Sahîh Purity**. If there are days of fâsid bleeding, (which is also called

istihâda bleeding,) within the fifteen or more days of purity, all these days are called (days of) **Hukmî purity** or **Fâsid purity**. Sahîh purity and Hukmî purity are called **Full Purity**. Bleedings that are seen before and after a period of full purity and which continue for three mean days are two separate periods of haid. Any coloured liquid, except for a white (colourless) liquid, is called the blood of haid, and so is any turbidity. When a girl begins haid, she becomes a **bâligha**, (an adolescent), that is, a woman. A girl who has not yet experienced the menses and a boy whose genitalia does not yet produce spermatozoa are Islamically bâligh (in a state of puberty), once they are beyond the age of fifteen. This fact is written in the annotation to the book **Durr-i Yektâ**. The number of days beginning from the moment bleeding is seen until the bleeding comes to an end is called **'âdat** (menstruation period). A period of haid is ten days maximum and three days minimum. According to the Shâfi'î and Hanbalî Madhhabs, it is fifteen days maximum and one day minimum. In the Mâlikî Madhhab it is fifteen days maximum, and yet the bleeding that is seen first is haid. If the bleeding of a woman who is in the Hanaffî Madhhab and who is imitating the Mâlikî or Shâfi'î Madhhab goes on for more than ten days, she will have to make qadâ of the prayers of namâz she has omitted during this time of excess, after she becomes purified.

Menstrual bleeding does not have to be continuous. If the initial bleeding stops but more bleeding is seen again three days later, the days of purity in between are days of fâsid purity and are unanimously considered to be menstrual. According to a report Imâm-i Muhammad transmits from Imâm-i a'zam Abû Hanîfa, if bleeding is seen again before the tenth day, it will be concluded that the bleeding has continued throughout these ten days. There is also another report transmitted by Imâm-i Muhammad. According to Imâm-i Abû Yûsuf, and also in the Madhhabs of Shâfi'î and Mâlikî all these days of purity are considered menstrual if bleeding recurs before fifteen days have passed (since the cessation of bleeding). Suppose a girl bleeds for one day and then does not bleed for another fourteen days; however, she then bleeds again for one day. And suppose another woman bleeds for one day and does not bleed again for ten days, but again bleeds for only one day. And a third woman bleeds for three days and does not bleed again for five days, but when she bleeds again, it is only for a day. According to Imâm-i Abû Yûsuf, the girl's first ten days are haid; the former woman's days of haid

are the same as her âdat (previous or usual menstrual period), and all the remaining days (of bleeding) are istihâda; the latter woman's nine days are all haid. According to Imâm-i Muhammad's first report, only the latter woman's nine days are haid. According to Imam-i Muhammad's second report, only the latter woman's first three days are haid, and none of the other days exemplified are haid. Translating the subject of haid from the book **Multaqâ**, we have written all the following information according to Imâm-i Muhammad's first report. One day is (a duration of) exactly twenty-four mean hours. It is mustahab for married women, all the time, and unmarried (virginal) women, during their menstrual period only, to put a piece of cloth or pure organic cotton called **kursuf** on the mouth of their vagina, and to apply perfume on it. Synthetic cotton is unhealthy. It is makrûh to insert the entire kursuf into the vagina. A girl who sees bloodstains on the kursuf every day for months is considered to be menstruating during the first ten days and having istihâda for the remaining twenty days. This will go on until the (continuous) bleeding, called **istimrâr**, stops.

If a girl sees blood for three days but does not see it for one day, and then sees it for one day but again does not see it for two days, and later sees it for one day but then does not see it for one day, and finally sees it again for one day, all these ten days are menstrual. If she sees blood one day but does not see it the next day, and if this alternating process goes on for ten days every month, she does not perform namâz or fast on the days she sees blood. But she makes ghusl and performs namâz on the following days. [Translated from the book **Masâil-i sharkh-i wikâya**.]^[1]

[1] [In the Mâlikî Madhab, red, yellowish or turbid blood that issues from the front of a girl that has reached the age of nine is called **blood of haid** (menorrhoea). It is haid as soon as the bleeding starts. As the bleeding continues, it is menstrual until immediately before the fifteenth day, and its continuation thereafter, (as it may be the case,) is judged to be istihâda (menorrhagia). If her âdat changes the next month, her new âdat is the longest period of âdat she has so far had plus three days. Bleeding that continues thereafter, as well as bleeding that continues after the fifteenth day in any case, becomes istihâda. When the kursuf (pad, tampon, sanitary towel) is found to be dry, or colourless although it may be wet, this case must be taken as the end of the menstrual period. Bleeding that a woman past the age of seventy undergoes is not haid; it is istihâda. In case a woman's bleeding continues intermittently, the days spent without bleeding are to be taken as days of purity. The number of running days of purity is

Bleeding that goes on for less than three days, or, seventy-two hours, even if it is five minutes less, or, for a newly pubescent girl, bleeding after the tenth day when it goes on more than ten days or, for one who is not new, bleeding that happens after the âdat when it both exceeds the days of âdat and continues for more than ten days, or bleeding of a pregnant or **âisa** (old) woman or of a girl below nine years of age, is not menstrual. It is called **istihâda** or **fâsid bleeding**. A woman becomes **âisa** around the age of fifty-five. Supposing a woman whose âdat is five days sees blood after half of the Sun has risen and the bleeding stops as two-thirds of the Sun rises on the eleventh morning, in which case the bleeding has exceeded ten days for a few minutes, the blood that comes after five days, her âdat, is istihâda. For, it has exceeded ten days and ten nights for as long as one-sixth of the Sun's time of rising. When the ten days are over, she makes ghusl and makes qadâ of the prayers of namâz which she did not perform on the days following her âdat.

A woman undergoing the days of istihâda is categorized as a person who has an excuse ('udhr), like someone whose nose frequently bleeds or someone who is not able to control the bladder; hence, she has to perform namâz and fast, and sexual intercourse is permissible despite the bleeding. The bleeding of istihâda (menorrhagia) is a sign of a disease. If it continues for a long time it may be dangerous, so the person concerned must see a gynaecologist. A red gum powder called sang-dragon (dragon's blood) may stop the bleeding when taken orally with water, one gram in the morning, and the same amount in the evening. Up to five grams may be taken per day.

According to a report on the authority of Imâm-i Muhammad, if a girl over nine years old sees bloodstains one day for the first time in her life and does not see it the following eight days but

fifteen minimum. Bleeding that recurs before these fifteen days is istihâda. Such days of purity are infinite, (i.e. there is not a maximum limit.) If a bleeding stops and recurs fifteen days later, it is haid. Bleeding undergone before a childbirth is haid. If the baby is lifted out of the woman's womb through an opening cut in her abdomen, the bleeding that occurs in the immediate aftermath is not nifâs (puerperal discharge). Puerperal period is sixty days maximum. If the puerperal bleeding stops and does not recur within the following fifteen days, (the puerperal period has ended and) the woman undergoing nifâs has become tâhir (clean, purified). Bleeding that occurs thereafter is haid.]

sees it again on the tenth day, all the ten days are menstrual. However, if she bleeds the first and eleventh days only and undergoes no bleeding during the nine days in between, neither of them is menstrual. Bleeding on both days is *istihâda*, since the days of purity preceding the bleeding after the tenth day, as described above, are not considered to be the days of haid according to Imâm-i Muhammad. If she saw bloodstains on both the tenth and eleventh days, the first ten days, including the days of purity in between, would make up a menstruation period, while the bleeding undergone on the eleventh day would be *istihâda*.

A woman's haid, as well as her time of purity, is usually a period of the same number of days every month. In this sense, one 'month' (also a 'menstrual cycle') is the period from the beginning of a menstruation period to the beginning of the next period. When a woman with a certain period of *âdat* sees *sahîh* bleeding for a different number of days, her *âdat* changes. Likewise, the number of the days of purity changes when a different period of purity is experienced once. *Fâsid* bleeding or *fasid* purity does not change the *âdat*.

If the duration of bleeding of the new haid exceeds ten days and if its three or more days do not concur with the time of the former *âdat*, the time the *âdat* spans shifts, but the number of days does not change. If they (three or more days) concur with the time of (the former) *âdat*, the number of days concurring with it becomes haid and the rest becomes *istihâda*. If a woman whose *âdat* is five days of bleeding and fifty-five days of purity sees five days of bleeding and then forty-six days of purity and thereafter eleven days of bleeding, the time that her *âdat* covers shifts, but the number of days does not change. If she sees five days of bleeding and then fifty-seven days of purity but thereafter three days of bleeding followed by fourteen days of purity and then one more day of bleeding, the number of the days (of the new haid) becomes three. But the time it covers does not move. The fourteen days of *fâsid* purity here means continuous bleeding. If the duration of bleeding for the new haid does not exceed ten days and if it is followed by *sahîh* purity, all the days of bleeding make up a new haid. If it is not followed by *sahîh* purity, the number of the days of her former *âdat* does not change. In this case it is mustahab for her to wait until it gets quite close to the end of the time for *namâz* within which the bleeding stopped and which follows her *âdat* and precedes the tenth day (after the onset

of bleeding). Then, after making a ghusl, she performs the time's namâz. Also **waty** (intercourse) becomes permissible for her. However, if she misses the ghusl and the namâz as she waits, intercourse before making a ghusl becomes permissible when the time of the prayer is over.

If the first bleeding of a girl, (menarche,) or a bleeding that begins fifteen days after the previous haid of a woman stops before three days are over, she waits until the end of the time of the namâz is quite close. Then, making wudû (ablution) only without a ghusl she performs the namâz of that time and those which she did not perform (during the bleeding). If bleeding reoccurs after she has performed that namâz, she discontinues namâz. If it stops again, towards the end of the time of the namâz she makes a wudû only and performs the time's namâz and those which she did not perform, if there are any. She acts likewise until the end of the third day. But waty (intercourse) is not permitted even if she has made a ghusl.

If bleeding continues for more than three days and stops before the end of her âdat, waty is not permitted before the end of her âdat, even if she has made a ghusl. However, if no bloodstains are seen until it is quite close to the end of the time of the namâz she makes a ghusl and performs the namâz. She does not perform those prayers of namâz which she omitted (in the meantime). She performs her fast. If bleeding does not reoccur for fifteen days after the day it stops, the day it stops becomes the end of her new âdat. But if bleeding reoccurs she discontinues namâz. If it is the month of Ramadân, after Ramadân, she makes qadâ of the fast which she performed. If bleeding stops she makes a ghusl again towards the end of the namâz-time and performs her namâz and fast. She follows the same procedure for ten days. After the tenth day she performs namâz without making a ghusl even if she sees bloodstains, and waty before a ghusl is permissible. But it is mustahab to make a ghusl before waty. If bleeding stops before the breaking of dawn and if she has only time enough to make a ghusl and dress up but not enough also to say "Allâhu ekber" before dawn, she fasts that day, but she does not have to make qadâ of the namâz of the previous night which she missed. But if the time were long enough also to say "Allâhu ekber," she would have to make the qadâ, (that is, she would have to perform the previous night's namâz.) If haid begins beforeiftâr (time for breaking a fast), her fasting becomes invalid, and she performs its qadâ after Ramadân. If haid begins while performing

namâz, her namâz becomes invalid. When she becomes clean she does not perform qadâ for that namâz if it is fard, but she performs it if it is supererogatory. If a woman sees bloodstains on her kursuf when she wakes up after dawn, she becomes menstruous at that moment. If a woman sees that the kursuf (sanitary napkin) that she inserted before going to bed is clean when she wakes up, her haid stopped while she was asleep. It is fard for both to perform the (previous) night's namâz. For, a namâz's being fard for a woman depends on her being clean at its last minute. A woman whose haid begins before she has performed the time's namâz does not make qadâ of that namâz.

There must be **full purity** between two periods of haid. It is declared unanimously (by Islamic scholars) that if this full purity is **sahîh purity**, the bleedings before and after it are two separate periods of haid. Days of purity intervening the days of bleeding within the ten days of haid are judged to be menstrual, and the days of istihâda after the tenth day are judged to be within (the days of) purity. If a girl bleeds for three days and then does not bleed for fifteen days and then bleeds for one day and then does not bleed one day and then bleeds again for three days, the first and the last three days of bleeding are two separate periods of haid. Since her âdat is three days, the second haid cannot begin with the one day of bleeding in between. This one day makes the previous full purity fâsid. Molla Khusraw 'rahmatullâhi ta'âlâ 'alaîh' wrote in his annotation to **Ghurar**: "If a girl sees one day of bleeding and then fourteen days of purity and thereafter one day of bleeding and then eight days of purity and then one day of bleeding and then seven days of purity and then two days of bleeding and then three days of purity and then one day of bleeding and then three days of purity and then one day of bleeding and then two days of purity and then one day of bleeding, according to Imâm-i Muhammad, of these forty-five days only the ten days following the fourteen days (of purity) are menstrual, and the rest are istihâda." Since there is not a period of full purity following these ten days, the new haid does not begin. Because the latter days of purity are not within the duration of her normal haid, these days are not added to the days of bleeding. (According to Imâm-i Abû Yûsuf, the first ten days and the fourth ten days with purity on both sides are menstrual.) For, according to Imâm-i Abû Yûsuf, the following days of fâsid purity are considered to be menstrual. According to the first of the following (four) cases, the ten days of haid are followed by twenty

days of purity and then ten days [the fourth ten days] of haid.

If **istimrâr** (see above) occurs, (i.e. if bleeding continues,) without any intervening days of purity for fifteen days, the calculation is based on her âdat. That is, beginning with the end of her âdat, the duration of purity is considered to be the same as that of the previous month's and the period of haid is the same as her âdat (that she experienced the previous month).

If istimrâr occurs on a girl, (who experiences menstruation for the first time,) according to the book **Manhal-ul-wâridîn** and the Turkish book **Murshid un-Nisâ**, it may be classified in one of the four cases:

1 - If the bleeding that is experienced for the first time makes istimrâr, the first ten days are considered menstrual and the next twenty days are considered days of purity.

2 - If istimrâr occurs after a girl has experienced a menarche^[1] consisting of sahîh bleeding followed by sahîh purity, this girl has become a woman with a certain âdat. Supposing she experienced five days of bleeding and forty days of purity; from the onset of istimrâr five days are judged to be menstrual and forty days are days of purity. The case is valid until the bleeding ceases.

3 - If she undergoes fâsid bleeding and fâsid purity, neither of them must be judged to be her âdat. If the purity is fâsid because it is shorter than fifteen days, the bleeding which is seen first is considered to have made istimrâr. If she undergoes eleven days of bleeding and then fourteen days of purity and thereafter istimrâr, the first bleeding is fâsid because it exceeds ten days. Its eleventh day and the first five bleeding days of istimrâr are (within) the days of purity, and, after the fifth day (of istimrâr), ten days of haid and then twenty days of purity keep recurring. If the purity is full purity and is fâsid because there are days of bleeding within it, and if the sum of the days of such fâsid purity and the days of bleeding does not exceed thirty, again, the first bleeding is considered to have made istimrâr. An example of this is istimrâr after eleven days of bleeding and fifteen days of purity. Because there is bleeding on the first of the sixteen days, it is a period of fâsid purity. The first four days of the istimrâr are (within) the period of purity. If their sum exceeds thirty days, the first ten days are menstrual and all the following days until the istimrâr are considered days of purity, and after the istimrâr, ten days of haid

[1] Onset of first menstrual discharge.

and twenty days of purity continue to reoccur. An example of this is istimrâr after eleven days of bleeding and twenty days of purity.

4 - If she undergoes sahîh bleeding and fâsid purity, the days of sahîh bleeding become her âdat. Their deficiency from thirty days make up the days of purity. Suppose istimrâr occurs after five days of bleeding and fourteen days of purity, the first five days are days of bleeding and the following twenty-five days are days of purity. To complete these twenty-five days, the first eleven days of the istimrâr are appended to the days of purity. From now on five days of haid and twenty-five days of purity will continue reoccurring. Likewise, if istimrâr occurs after three days of bleeding and fifteen days of purity and one day of bleeding and fifteen days of purity, the first three days are days of sahîh bleeding and all the following days until the onset of istimrâr are days of fâsid purity; hence, three days are menstrual and the next thirty-one days are days of purity. During the istimrâr, however, three days of haid and twenty-seven days of purity reoccur. If the second period of purity were fourteen days, according to Imâm-i Abû Yûsuf it would be considered a period of continuous bleeding. So its first two days also, (along with the previous one day of actual bleeding,) would be menstrual, and the next fifteen days would be days of purity, and so on. For, the first three days of bleeding and the next fifteen days of purity are to be accepted as her âdat because they were sahîh.

A woman who has forgotten the time of her âdat is called **Muhayyira or Dâlla**.

Nifâs means lochia. Puerperal bleeding that occurs after a foetal miscarriage is also nifâs, so long as the hands, feet and head of the foetus have been formed. There is not a minimum duration for nifâs. On the day the bleeding stops, she performs a ghusl and resumes namâz. But she cannot have sexual intercourse before the period equalling her previous nifâs is over. The maximum is forty days. After forty days she performs a ghusl and begins namâz even if her bleeding continues. Bleeding after the fortieth day is istihâda. The nifâs of a woman whose bleeding lasted twenty-five days after her first pregnancy is twenty-five days. Therefore, if blood flows for forty-five days after her second pregnancy, the first twenty-five makes up the nifâs and the remaining twenty days are istihâda. She has to perform qadâ of those prayers of namâz that she did not perform during these twenty days. This rule entails that a woman make a mental note of her puerperal period as well. If her bleeding stops before the

fortieth day, e.g. in thirty-five days, during the second childbirth, all the thirty-five days are nifâs; therefore, her nifâs changes from twenty-five to thirty-five days. In Ramadân, if haid or nifâs stops after dawn (fajr), she fasts during that day, yet after Ramadân she will still have to make up for that day by fasting for an extra day. If haid or nifâs begins after dawn, she resumes eating and drinking even if it begins during late afternoon.

Namâz, fast, entering a mosque, reading or holding the Qur'ân al-kerîm, visiting the Ka'ba, and sexual intercourse are all harâm (forbidden) in all four Madhhabs during process of a haid or nifâs. Later she performs the qadâ' of those fasts, but not the prayers of namâz that she did not perform. She will be forgiven for not performing namâz. If at each prayer time she performs an ablution and sits on a sajjâda (prayer-rug) and dhikrs and performs tasbih for as long as it would take her to perform namâz, she will be given as many blessings as she would receive if she actually performed namâz in the best manner.

[When a girl is over eight years old, it becomes fard for her mother or, if she does not have a mother, her grandmothers, elder sisters, paternal and maternal aunts, respectively, to teach her about haid and nifâs. Negligence of this duty despite the presence of at least one of these next of kin, (cited above in order of priority,) will incur grave sinfulness on the negligent as well as on their husbands.]

It is written in the book **Jawhara**: “A woman must let her husband know when her haid begins. In fact, she will be gravely sinful if she does not tell him when he asks. It is an equally grave sin if she says that her haid has begun while she is pure. Our Prophet ‘sall-Allâhu ’alaihi wa sallam’ stated: **‘A woman who conceals the beginning and the termination of her haid from her husband is accursed.’** It is harâm, a grave sin, to have anal intercourse with one’s wife, during haid or otherwise.” He who does so is accursed. Pederasty is even more sinful. The Sûrat-ul-Anbiyâ’ states that pederasty is an “**extremely vile deed.**” A hadîth quoted in Qâdîzâda’s commentary to **Birgiwî** states, “**If you catch in the act those who commit pederasty as did the tribe of Lût^[1], kill them both!**” Some Islamic scholars have said that they both must be burned alive. It has been discovered in America that the horrid disease called AIDS, which has been

[1] Inhabitants of the ancient towns of Sodom (and Gomorrah), who were famous for their immoralities.

spreading with great speed among those who practise pederasty, is more fatal with those who eat pork. No medicine has so far been developed to cure this disease, whose virus was diagnosed in 1985.

The third type of ghusl that is fard concerns a person who has become junub. Such a person must wash himself (make a ghusl) when he has to perform namâz. There are three ways of becoming junub: When the tip of the penis (its roundish part under the prepuce) enters the vulva; when the man's viscous white semen or the woman's yellowish ovum fluid is thrown out lustfully; or by nocturnal emission, i.e., when he or she has a lustful dream and sees that semen or **mazy** has issued when he or she wakes up; in such a case, both the man and the woman become junub. In the Hanâfi and Shâfi'î Madhhabs, one does not become junub by the discharge of **mazy** or **wadî**. But the semen that has issued may become fluid with the effect of heat and be mistaken for mazy.

To make a ghusl for Friday, for the prayers of the Bayrams ('Iyds) of Fitr and Qurbân, and while on the mount of Arafât (which is near Mekka) on 'Arafa day is sunnat-i zawâid. If a person who has forgotten that he has been junub makes a ghusl for the Friday prayer, he becomes pure. But he will not attain the blessings for performing an act that is fard.

It is wâjib-i kifâya to wash a Muslim when he is dead. Before a dead Muslim is washed (the special prayer of namâz that Islam commands Muslims to perform collectively before the interment of a dead Muslim and which is termed namâz of janâza) cannot be performed^[1].

When a disbeliever becomes a Muslim, it is mustahab for him to make a ghusl.

Besides these eleven, it is mustahab to make a ghusl before putting on the ihrâm for hajj and 'umra; when entering Mekka or Medina; when standing for waqfa at muzdalifa; before washing a dead Muslim; after cupping; on Qadr, 'Arafa and Barât nights; when a mad person becomes sane; and for a child who reaches fifteen years of age. If a woman has sexual intercourse when her haid is over, one ghusl for both is enough. When a person makes a ghusl for some other reason on a Friday or on a day of 'Iyd, he will also be given the same blessings as he would be given if he performed (another) ghusl for these prayers of namâz.

[1] Salât (namâz) of janâza is explained in detail in the fifteenth chapter of the fifth fascicle of **Endless Bliss**.

When the sticky liquid called semen issues forth because of being thrashed, lifting something heavy, or falling down from a high place, a ghusl is not necessary in the Hanaffi and Malikî Madhhabs. But it is necessary in the Shâfi'i Madhab. A Hanaffi person who imitates the Shâfi'i Madhab has to take this into consideration.

If the semen that leaves its place lustfully remains in the urethra and does not go out, a ghusl is not necessary. But if it comes out later, even without lust, it will be necessary to make a ghusl. If a person who has a nocturnal emission, that is, who ejaculates semen in his dream, wakes up and squeezes his penis so that the semen is prevented from coming out, then experiences later on, after his lust has subsided, semen leaking from his organ, a ghusl becomes necessary for him. If a person who has become junub makes a ghusl without urinating and if later on the rest of the semen issues without lust, he has to make another ghusl. If he has performed namâz with his first ghusl, he does not have to reperform the same namâz. For this reason, in the Hanaffi and Hanbalî Madhhabs it is necessary to urinate and thereby wash out the semen that has remained in the urethra and afterwards make a ghusl. A Muslim in the Shâfi'i Madhab must make a ghusl again even if he has urinated. However, a Muslim in the Mâlikî Madhab does not have to make a ghusl again even if he has not urinated.

When the tip of the penis goes into the vulva or into a woman's or man's anus, a ghusl is necessary for both persons, regardless of whether or not semen was discharged. Inserting a penis into an animal (**sodomy**) or into a dead person (**necrophilia**) does not necessitate a ghusl if semen was not discharged, according to the Hanaffi Madhab. An animal thus abused must be killed (by jugulation) and the carcass must be burned. It may be eaten as well, (if it is an edible animal.) These two acts are done by psychopaths called **sadist**. Such acts are utterly abominable and grave sins.

If a person who has a nocturnal emission notices some wetness on his bed, on his underwear, or on his legs and judges it to be the white, fluid liquid called **mazy**, or if mazy issues from him while awake, a ghusl is not necessary. If he notices some semen without remembering a nocturnal emission, a ghusl is necessary as unanimously stated (by scholars). If he thinks it may be mazy, as a precaution a ghusl is necessary. If a person remembers that he had a nocturnal emission, but does not see any wetness anywhere, a

ghusl is not necessary. After a woman makes a ghusl, if some of her husband's semen comes out, a ghusl is not necessary. If a drunk person sees some semen on himself after he recovers, a ghusl is necessary. The case is the same with a person who has fainted. If both the wife and the husband see some semen in their bed when they wake up, a ghusl is necessary for both, even though they do not remember having a nocturnal emission. If a genie disguised as a human being has sexual intercourse with a person, a ghusl is necessary for that person. If the genie does not come in a human figure, the person who has an experience from this does not make a ghusl. If the man's semen, which was discharged by rubbing his penis on a part of the woman's body except her vulva, goes into the vulva, the woman does not have to make a ghusl. However, if she becomes pregnant as a result, she has to make a ghusl and perform the prayers of namâz again which she has performed since the incident occurred.

When such things as a child's penis, an animal's penis, a dead person's penis, or anything like a penis, such as a finger or a penis with a condom on it is inserted into the vulva, a ghusl is necessary if she is aroused by it. If she does not enjoy it, making a ghusl is preferred. **Merâqil-felâh** says: "Semen or an ovum released while looking at or daydreaming about the opposite sex causes one to become junub. A woman's husband pays for the water she uses when making a ghusl, an ablution and for her bath. The husband has to meet his wife's needs even if she is rich. If a man's semen is released while urinating, he makes a ghusl if his penis is erect.

If a woman begins menstruating while she is junub, she makes a ghusl immediately if she likes^[1], or she may wait until the menstruation is over and then make one ghusl for both.

Durr-ul-munteqâ says: "It is permissible for men to go to public baths for men, and women also are permitted to go to public baths for women. Covering their awrat parts with thick and oversized towels is fard; looking at someone else's awrat parts^[2] covered with a thin and tight towel is harâm (prohibited). It is permissible for hamâm (public bath) attendants to scour down the skin on the thighs of their customers (by using a rough cloth mitt)

[1] If she chooses to do so, she will have to make another ghusl when her period is over.

[2] Parts of a person's body that should be under cover in company, (and/or during certain acts of worship,) are termed awrat parts. Please see chapter 8 for details.

and to look at those parts of their body, provided they are covered. It is harâm, however, for them to touch their awrat parts under the towel (with bare hands) or to look at their bared awrat parts. People of the same sex are permitted to look at or touch one another's body, with the exception of their awrat parts and with the proviso that the sight or the contact should be secure against any likelihood of lust. On the other hand, it is prohibited (harâm) for a man to look at a woman who is a disbeliever, even without any lust." He who flouts a harâm (prohibition) conveyed by nâss or ijmâ' will lose his îmân (faith) and become a murtadd (renegade, apostate).

If a person who is junub has not performed the namâz of the current time, they will not be sinful for delaying their ghusl till the end of the current time. Yet it is a grave sin for him to delay it any longer. It is not sinful to sleep or to have sexual intercourse when one is junub. It is permissible to make a ghusl by using the same basin or container together with one's wife. It is tenzîhî makrûh for a person who is junub to eat or drink before washing his hands and mouth. For, the water touching his mouth and hands becomes **musta'mal**^[1]. And it is makrûh to drink water which is musta'mal. The case is not so with a woman in haid. For she has not been commanded to make a ghusl while menstruating. [A woman in haid can suckle her baby without washing her breasts. But it is makrûh for a woman who is junub to suckle her baby without washing off (her nipples).] A woman's suckling her baby will not break her ablution.

It is makrûh to read the Qur'ân al-kerîm when one's awrat parts are exposed or in the presence of people whose awrat parts are exposed. Therefore, a Muslim who is to read (or recite) the Qur'ân al-kerîm while lying in bed should keep their head outside of the blanket as they do so, if they are wearing something not covering all their awrat parts.

If a person who becomes junub at a house where he has been a guest fears that making a ghusl may cause slander or suspicion, he does not make a ghusl. And since it is not permissible for him to make a tayammum while there is water, it is permissible for him to be pretending to perform namâz while he is junub, without intending, without saying the tekbir of iftitâh, without reciting anything while standing, but only acting as if he were doing the rukû' and sajda. [Also, he who has to perform namâz behind an

[1] Please see chapter 7 for kinds of water.

imâm who is a lâ-Madhhabî reformer, does likewise.]

It is harâm to enter a mosque or to even walk through a mosque when one is junub and when a woman has haid. If one has no other way than the one leading through a mosque or if one becomes junub in a mosque or if one cannot find water anywhere but in a mosque, one makes a tayammum and then one can go in and out of the mosque. It is harâm in all four Madhhabs for one to read (or recite) the Qur'ân al-kerîm, to hold a Mus'haf and to visit the Ka'ba while one is junub. It is harâm also to hold the Qur'ân al-kerîm, or anything on which âyats are written, without an ablution. It is permissible to carry the Qur'ân al-kerîm in something not attached to it, e.g. in a bag. It is not harâm to recite the Fâtiha or the âyats which are said to be the prayer ayâts, with an intention to make a prayer, (not as the Qur'ân) or to say any prayer, yet it is mustahab to say any prayer with an ablution. **Tafsîrs** (explanations of the Qur'ân) are like the Qur'ân al-kerîm. Other books of dîn are like prayers. It is not permissible to wrap something in any piece of paper on which information of fiqh is written. If Allâhu ta'âlâ's Name or names of Prophets "alaihim us-salâm" are written on some paper, things can be wrapped in it only after erasing the names. But it is more honorable not to use such things as wrapping papers, for the letters of the Qur'ân are also sacred. It is written in the books **Hadîqa** and **Lataîif-ul-ishârat**: "The Heavenly Book revealed to Hadrad Hûd "alaihis-salâm" was in Islamic letters." It is written on the six hundred and thirty-third page of the second volume of **Hadîqa**: "It is makrûh to lay carpets, mats, or prayer-rugs carrying sacred writings woven or painted on them, on the floor, or to sit on them or to use them for any purpose whatsoever. It is also makrûh to write sacred writings on coins, mihrâbs and walls. But it is not makrûh to hang them on walls." [This interdiction applies also to pictures of the Ka'ba-i-mu'azzama. Prayer-rugs without pictures or embroideries on them must be preferred.]

We repeat that it is fard in the Hanâffî and Hanbalî Madhhabs to wash inside the mouth while making a ghusl. Then, those who are Hanâffî should not have their teeth filled or crowned unless they strongly need to do so. We must not let our teeth decay. To avoid this, we must take care of our teeth as commanded by our religion and we must use miswâks. France's valuable medical book entitled **Larousse Illustré Medical** writes the following about dental care: "All kinds of tooth paste, powder or liquid are harmful. The best method for cleaning the teeth is with a hard

brush. In the beginning it makes the teeth bleed. You should not be inhibited. It will strengthen the gums, so that they will no longer bleed.” Like everybody, I had been using toothpaste. Two of my teeth began to decay. When I read the French book I began using a miswâk. My teeth stopped decaying. It was more than sixty years ago. Ever since then I have had no complaints about my teeth or stomach. Ibni ’Âbidîn wrote in **Radd-ul muhtâr**: “It is sunnat-i muakkada to use a miswâk when performing an ablution. A hadîth-i-sherîf states: ‘**A namâz which is performed after using a miswâk is seventy-fold superior to a namâz without a miswâk.**’ A miswâk must be straight, as wide as the second small finger, and a span long. The miswâk is derived from a branch of the erâk (peelo) tree growing in Arabia. [Shaving it about two centimetres from the straight end, you keep this part in water for a couple of hours. When you press it, it will open like a brush.] When the erâk tree cannot be found, a miswâk can be made from an olive branch. You should not make it from a pomegranate branch. If an erâk or olive tree cannot be found or if one does not have teeth, the sunnat must be carried out with one’s fingers. The miswâk has more than thirty advantages, which are written in Tahtâwî’s **Khâshiyatu Marâq al-falâh**. Firstly, it causes one to die with îmân. It is makrûh for men to chew gum without any ’udhr (strong necessity), even when they are not fasting. Women must use chewing gum when they are not fasting instead of a miswak with the intention of performing the sunnat.”

Question: It is said that all the fuqahâ and mujtahids agree that our religion gives permission to have one’s teeth repaired. If they disagree on whether the repairs must be of gold or silver, does this affect their agreement?

Answer: Having one’s teeth repaired means putting a false tooth that can be taken out whenever one wishes in the place of a missing tooth, fastening a tooth which is about to fall out, or having one’s teeth filled or crowned. To change the fatwâ of Hanâffî scholars ‘rahmatullâhi ta’âlâ ’alaihim ajma’în’ wherein they state that “it is permissible to fasten a loose tooth with gold” into “There is unanimity about it being permissible to have one’s teeth repaired. It is permissible to have one’s teeth filled or crowned,” means either not to understand the declaration of the **fuqahâ** or to adapt these declarations to one’s own insidious and base desires, either of which is both shameful and sinful. Our mujtahids disagreed on whether it would be fastened with gold or silver. In fiqh books of the Hanâffî Madhhâb tying a loose tooth is called

shad or **tadbîb**. Shad (in Arabic) means to soundly fasten with wire. For example, **shadd-uz-zunnâr** means to fasten a priest's girdle. It is written in the paragraph about sitting on a sofa made by tadbîb in the books entitled **Tahtâwî** and **Hindiyya**, which are annotations to the book entitled **Durr-ul-mukhtâr**, and also in the books **Durr-ul-muntaqâ** and **Jâmi'ur-rumûz** that tadbîb means to wind a band around something wide and flat like the sliding iron bar of a door. It is written in **Bezzâziyya** and in **Hindiyya**: "It is permissible to eat and drink from containers engraved with gold and silver designs. Yet you must not touch the silver or the gold with your hands or mouth. The Imâmayn (Imâm-i-Abû Yûsuf and Imâm-i-Muhammad) said that it is makrûh to use such containers. So is the case with a container that has been made by tadbîb. It is permissible to apply tadbîb on a sofa or the saddle of an animal, but you must not sit on those parts of it consisting of gold and silver. It is permissible to apply tadbîb on the cover of a volume of Qur'ân al-kerîm. But the gold and the silver on it must not be touched." Hence, tadbîb does not mean to cover the entire surface of something, but it means to place a metal band around something. It is written in books of fiqh: "It is permissible to apply tadbîb of gold on a loose tooth." This statement means that it is permissible to fasten a loose tooth with a gold wire or band in order to prevent it from falling. This is because water penetrates under such teeth. In fact, as today's prostheses can be taken out while making a ghusl, the tying wires and bands can be removed, cleaned, and replaced after a ghusl. Otherwise, the food that remains between them would cause stench and damage in the mouth. To say that the scholars of fiqh said that it was permissible to crown a loose tooth is to slander those great people. For, a loose tooth cannot be crowned, but it can be tied. As seen, a real man of religion would not concoct the fatwâ: "It is permissible to crown teeth," by interpreting the word "**tadbîb**" as "crowning." The assertion that books of fiqh contain statements acceding to "filling or crowning decaying teeth with gold or silver" begs the question whether they contain a single allusion that could be interpreted as a "permission to have your decaying teeth filled or crowned," which they do not.

People who have little information on matters of fiqh and who do not understand mujtahids' statements, cannot differentiate between the expression "having an artificial tooth made or fastening a loose tooth" with the expression "having one's teeth filled or crowned." They attempt to stretch mujtahids' statements

so as to conflate them all into an aggregate of conveniences offered in case of a darûrat (strong necessity, inevitable situation). These poor people do not realize that there is no need for searching for a darûrat concerning tying a loose tooth or having a movable tooth mounted in place of a missing tooth. A darûrat is searched for when you have to do something that is not permissible to do. Since it is not prohibited to fasten one's tooth or to mount a false tooth, why should one look for a darûrat? In an attempt to rationalize the fillings and crownings in their own mouths and convince Muslims that their ghusl is properly performed, some people seized upon the word 'necessity' in the "necessity for fastening the teeth with gold instead of silver wires," brandished it, so to speak, as if it were the ultimate weapon, and clamoured: "It has been declared unanimously that it is a necessity to have one's teeth repaired." Thus they confused the Muslims in the Hanâfi Madhab and blocked the way leading to the grace of Allâhu ta'âlâ. These people point as a proof to the declaration that the tottering teeth can be fastened unconditionally. However, the wires tying the teeth tightly and false teeth can be taken out, cleaned and put back in their places. The unanimous declaration by Islamic savants 'rahmatullâhi ta'âlâ 'alaihim ajma'in' refers to the wires and the teeth that can be taken out when making a ghusl. It would be an abominable slander against those great scholars to say that they permitted such obstacles as crowns and fillings, which do not let water through, while there is the fact that they also declared: "It is fard to wash tooth cavities and in between the teeth when making a ghusl." Those scholars said not only that it was permissible to use a gold false tooth, but also that it was permissible to wear a silver ring. Permission to wear a silver ring does not mean that the skin under it will be exempt from being washed. They said that it was necessary to moisten the skin under the ring by taking it off or by shifting it. They said that an ablution or a ghusl would not be sahîh if the skin under a tight ring was not moistened. Having a tooth crowned is like wearing a ring. Since the tooth under a filling or crown is not moistened, the ghusl will not be acceptable.

Question: It is not a requirement to make water reach very difficult parts while making a ghusl. It is for this reason that washing inside the eyes, inside the foreskin, and for women under their plaits, is excused. If a person with a headache cannot make a masah on his head, making masah on his head is not obligatory for him. When the teeth are repaired because of a darûrat, doesn't the obligation of washing the teeth become null and void?

Answer: The Islamic rule stating that “if a certain part of the body cannot be wetted because of some **haraj** to wet it, the ghusl so performed will be accepted,” is not an allinclusive rule. It applies to predicaments resulting from a darûrat, i.e. a natural situation in which you have been physically involved, or something you have had to do in order to perform an Islamic commandment. Difficulties that a Muslim has run into as a result of their own doings are excluded from the absolution offered via that rule.

When a haraj (difficulty, predicament) arises as a result of your own doings, you are to imitate one of the other three Madhhabs, i.e. the one in which you will not encounter the same haraj. A severe headache is a darûrat which occurred involuntarily. Not being able to touch one’s head in this case is haraj. Therefore, one will be exempted from washing or making masah of one’s head. As is explained in the third chapter, in its eleventh paragraph dealing with making masah on splints, it is declared (by scholars) that after a wound has healed it is not permissible to make masah on the medicine, ointment, or bandage put over it, and that it is necessary to remove them and wash (the skin) under them. It is said (by fiqh scholars) that if there is haraj in removing these things, since these things are not included in the category of darûrats that occurred involuntarily, the person concerned imitates another Madhhab. According to another statement made by mujtahids; in case the same haraj exists in the other three Madhhabs, too, one is absolved from having to wash under them, since they were placed there due to some darûrat, that is, to cure the wound. As a matter of fact, since washing the whole body, including a wound or sore that is immune to water, when making ghusl is fard (obligatory) in all the other three Madhhabs as well, it is impossible to imitate one of the other three Madhhabs, i.e. a difficulty or predicament coexists with the darûrat that has caused it, one is absolved from having to wash the parts concerned. It is fard for a woman with plaits to moisten only the bottom of her hair. Ibni ’Âbidîn ‘rahmatullâhi ta’âlâ ’alaih’ writes: “Because women are prohibited from shaving their hair, they have been excused from undoing their plaits. Men are immune from this darûrat. The fact that haircut is sunnat for men is written in the fifth volume of Ibni ’Âbidîn. For this reason men have to undo and wash their plaited hair.” Women’s not undoing their plaited hair does not absolve men from having to undo their plaited hair. The difference is because there is darûrat and haraj for the former. However, there is no darûrat, though there is haraj, concerning men’s hair.

There is no haraj (difficulty) in removing artificial teeth when making a ghusl. They can easily be removed and the skin under them can be washed. It is permissible to have such artificial teeth made. It is unnecessary for Muslims who use them to imitate one of the other three Madhhabs.

Question: Imâm-i a'zam said that the darûrat of having one's teeth repaired could be met by using silver. I read this in a preacher's book. The same book writes that Itqânî says that Imâm-i-Muhammad may have said as follows: "We do not admit that the necessity of having one's teeth repaired will have been met by using silver. For, silver, which causes a noxious scent on the nose, would cause it on the teeth, too." So, it is quite obvious that having one's teeth repaired is a darûrat, the book adds. What do you say about this?

Answer: It must be untrue that the book you have read was written by a preacher. A person who conveys the books of fiqh so incorrectly is either a very ignorant man or an abject liar, a falsifier. Note what **Radd-ul-muhtâr** writes in its section called **Al-hazar wal-ibâha**: "Imâm-i-a'zam discriminated between tying a tooth and making an artificial nose. He stated that it is permissible to have an artificial nose made of gold because a silver nose would constitute a darûrat on account of the stench that silver causes, for something which is harâm can be permissible (mubâh) only when there is a darûrat. However, when silver is used for the teeth, the darûrat will no longer exist. There will no longer be a need for using gold, which is more valuable. Itqânî said that in order to help Hadrat Imâm-i Muhammad a person might say: "We do not admit that the darûrat in tying the teeth with gold is eliminated by using silver. For silver will cause a stench on the teeth as well as on the nose." As is seen, neither Imâm-i a'zam nor Imâm-i Muhammad 'rahmatullâhi ta'alâ 'alaihimâ' uttered the expression, "the darûrat concerning having an artificial tooth made." A person who had had crowned teeth should have fabricated this darûrat lest he would be lowered in the eyes of the Muslims and so that he would have the sympathy of those who had had their teeth crowned. Concerning the tying of teeth our imâms (the mujtahids in our Madhab) said: "When silver causes a stench, the darûrat of fastening with gold occurs. If using silver does not cause a stench, this darûrat will no longer exist." It is not for us laymen in religious matters, who are not mujtahids, to say whether or not there is a darûrat. Islam authorizes mujtahids to talk on this matter. Those men of religion who are not mujtahids do not have the right to talk

on this matter. If they talk, their words will have no value. Our scholars have declared unanimously that after the four hundredth year of the Hegira there have not been any scholars educated in the grade of ijtihâd. Finding mujtahids' fatwâs, our scholars have written them in books of fiqh. It is written clearly in books of fiqh that a ghusl will not be acceptable when water does not penetrate under the food remains within tooth cavities and that there is no darûrat or haraj in this. We have explained this above. For, it is possible to remove the remnants of food in tooth cavities and between the teeth when you are making a ghusl, and there is no haraj, difficulty in doing this. It is written in the translation of **Qâmûs**: "Darûrat, which causes haraj in doing a fard, i.e. hinders its performance, either arises from compulsion, e.g. women growing their hair long – the Sharî'at has prohibited them from cutting their hair – or it is intended to cure an ailing limb or to feed the body and protect it against dangers. Or, it is because there is no other way." In case there is a haraj and it is impossible to imitate any one of the other three Madhhabs, the policy to be followed is to see whether the present haraj has arisen out of a darûrat. There is a haraj in women's undoing their plaited hair. Since it is impossible for them to imitate another Madhab and thereby get over the haraj and growing their hair long is consequent upon a darûrat, they have been absolved from having to undo their plaited hair.

A person with a decaying or aching tooth must go to a pious Muslim dentist. The dentist relieves him from his vehement pain by putting cotton with medicine into his tooth. Later, the cotton will be taken out; the tooth with the pain has been relieved. The dentist then will suggest two options to their patient: The first way, he will say, is to extract the decaying tooth and replace it with an artificial one; the second way is to kill the nerve attached to the decaying tooth and then fill or crown it. If the decay in the tooth is new, it is filled in and the decaying is halted for some time. Depending on the dentist's skill, this tooth can be used very well for many long years. In advanced cases filling is impracticable. In such cases, only the tooth root is utilized by way of crowning. In case the root also has decayed, the tooth is extracted and a prosthesis is used. A prosthesis is not as practical as a crowning, and so is the case with a crowning when compared with a filling. Crowning or filling does not cure an ailing tooth. Nor does it restore it to its former healthy condition. It only helps to use the ailing tooth without suffering pain. When a person with a

tooth filled or crowned imitates the Mâlikî or Shâfi'î Madhhab, he or she attains the same thawâb as gained by people without any excuse. If it were impossible to imitate these Madhhabs, filling or crowning would become a darûrat and his or her prayers of namâz would be sahîh. Yet, because he or she would have an excuse, his or her thawâb would be less. As is seen, imitating another Madhhab not only causes much thawâb, but also saves the teeth from being extracted.

It would be wrong to assert that filling or crowning your teeth is a darûrat by saying, "A tooth is a limb, too. Isn't it a darûrat to have a decaying tooth cured? You yourself said that it was a darûrat to tie a loose tooth." In fact, to crown or fill a tooth does not mean to cure it. It means to remove the nerve from the decaying tooth and to use the dead tooth like a prosthetic or artificial tooth. The artificial tooth is permissible since it is movable, whereas crowns and fillings are not permissible since they are not movable. Today, making prostheses for aching teeth is not very painful or difficult. By contrast, killing the nerve of a tooth causes a lot of pain and trouble. Imitating the Shâfi'î Madhhab is permissible also for one who says, "There is haraj in using an artificial tooth, but there is no haraj in using a crowning or filling." In the process of time the root of a crowned or filled tooth becomes a home for toxins and causes various diseases in the other organs. False teeth, on the other hand, do not produce any toxins.

Those who have gotten their teeth crowned as ornamentation or their teeth filled without (the cause of) a tooth-ache or decay should imitate the Shâfi'î Madhhab when performing a ghusl. It is written clearly in **Ibni 'Âbidîn** at the end of the chapter on prayer times that when there is a haraj, imitating one of the other three Madhhabs does not depend on the condition that there should also exist a darûrat. As a matter of fact, as we have noted above, it is not a darûrat to have your tooth crowned or filled on account of an ache or decay. Therefore, we should not look on those Muslims who had their teeth repaired as dirty people; nor should we harbour a suspicion about them.

It would be quite wrong to think that the fact that it is mubâh to use gold on the teeth though gold is harâm for men to use otherwise will show that crowning or even tying the teeth is a darûrat. Though men have been prohibited from using silver utensils, they have been permitted to wear silver rings. As it would be quite wrong to think that wearing a ring is necessary because

silver rings have become permissible or to think it is necessary to use gold or silver noses and ears because it is permissible to use them, likewise it would be wrong, slanderous and sinful to say that Islamic scholars agreed on the fact that crowning the teeth was necessary^[1].

As the last and most irrefutable proof, we shall inform you that this faqîr^[2] has the original copy of the (Turkish) **Booklet of Namâz** which the profound scholar Sayyid Abdulhakîm Arwasî ‘rahmatullâhi ta’âlâ ’alaih’, who was an expert in the four Madhhabs along with their subtle particulars, wrote with his blessed hand. He states in the booklet: “In the Shâfi’î Madhhab a ghusl has two fards. The first one is intention. That is, one must think, ‘I intend to make a ghusl in order to purify myself of janâbat,’ as water first touches each limb, i.e. the hands, the face, etc. In other words, it is to keep this intention in one’s heart while washing each limb. This intention is not compulsory in the Hanaffî Madhhab. The second fard is to wash the whole body with water. It is also fard to remove all najâsat, if there is any, from the body. It is not fard in the Shâfi’î Madhhab to wash inside the mouth and nose, that is, to make water reach these parts. But in the Hanaffî Madhhab, it is fard to make water reach these parts. For this reason, those who are in the Hanaffî Madhhab cannot crown or fill their teeth because in that case water will not reach these parts. Those who have already crowned or filled their teeth will have to imitate the Shâfi’î Maddhab.”

[It is stated in **Al-muqaddamat-ul-izziyya**: “In the Mâlikî Madhhab, if some najâsat falls into clean water in a container, and yet if it has not changed one of the three properties (colour, smell, and taste) of the water, it is sahîh to use it for ablution or ghusl, yet it is makrûh. So is the case with mâ-i musta’mal (water used for ghusl or ablution). One should enter a toilet taking the first step with one’s left foot and with something covering one’s head. Urine and excrement of animals with edible flesh are clean. The carcass^[3], bones, nails, horns, skins of these animals,

[1] For the sake of fluency and simplicity in the delivery of our argument, we have used the word ‘necessity’ for the technical word ‘darûrat’, which in turn is explained at various places in the text.

[2] The blessed Islamic scholar, Husayn Hîlmi bin Sa’îd Işik ‘quddisa sirruh’, means himself.

[3] What is meant by the word ‘carcass’ is ‘lesh’ (or lash), which means an edible animal that has not been killed in a manner dictated by Islam.

(i.e. those that are from that carcass,) as well as a human corpse, semen, mazî, alcoholic drinks are all najs (dirty, foul). Namâz on a thick cloth laid on a najs place or when you are smeared with blood or pus covering an area smaller than a palm, is sahîh (valid)^[1]. It is fard to make a niyyat before beginning a ghusl, to make **dalk** of the whole body [to rub gently with the palm of your hand or with a towel], to observe the **muwâlât** [to wash the limbs one immediately after another], to make **khilâl** of the hair and beard (to comb them with your fingers), to undo the tightly plaited hair and to make khilâl of it thoroughly. It is sunnat to wash inside your mouth, nostrils and ears, and to wash your hair. If you remember later that you forgot to wash a certain part on your body, be it a month later, you wash that part immediately. If you do not wash it immediately, your ghusl becomes null and void. An ablution is made before or after each ghusl.

“Also, it is fard (farz) to make a niyyat before beginning an ablution or when washing the face, to make masah on the entire head, on the hanging parts of the hair, on the beard when it is so scarce that the skin under it can be seen, to wash the beard that is thick, to observe muwâlât, that is, to wash the limbs one immediately after the other, and to make dalk on the limbs washed before they dry. It is unnecessary to undo plaited hair. It nullifies the ablution to touch one’s penis with one’s palm or with the inner parts of the fingers, to doubt whether one has made an ablution or whether one’s ablution has broken, to touch a boy’s or a nâ-mahram young woman’s skin or hair with lust. [If one touches them without having a sexual appetite and does not feel any lust when one touches, one’s ablution will not be broken. Muslims who are in the Shâfi’î Madhhab and who live in a mixed society, so that touching women is inevitable during their daily life, such as while walking, commuting, shopping, ought to imitate one of the Hanâfî and Mâlikî Madhhabs.] Bleeding or other exudations from the body will not break an ablution. A masah is made on the inner and outer parts of the ears with newly moistened fingers. Cutting one’s nails or having a haircut will not break one’s ablution. There are disagreements on whether cutting or shaving one’s beard will

[1] According to a second authentic report in the Mâlikî Madhhab, najâsat, regardless of its kind and amount, is not a hindrance to namâz. It is sunnat, not fard, to wash it off.

break one's ablution. Manual istibrâ^[1] is wâjib. Masah made on the mests put on after making a tayammum is not acceptable. There is not a limit for the duration within which masah is permissible. The time for late afternoon prayer lasts until the time called isfirâr. (Please see chapter 10, which deals with prayer times, for time of isfirâr.) The latest time for the night prayer is the (end of the) first one-third of the night. It is necessary for a person staying in Mekka to turn towards the Ka'ba and for a person outside of Mekka to turn to the direction of Ka'ba. It is fard to say 'Allâhu ekber' when starting to perform namâz, to recite the Fâtiha (while standing in namâz), to stand upright at qawma (after a rukû'), to sit upright at jalsa (between the two sajdâs), to make the salâm to one side in the sitting posture, and to say 'As-salâmu 'alaikum' when making the salâm. It is a sunnat to recite the zamm-i-sûra in the first two rak'ats, to sit in the two tashahhuds (sitting postures), to recite the tahiyyat and salawât, and to make the second salâm. It is mustahab to silently recite the (prayers termed) Qunût in the second rak'at of morning prayer, and to raise the pointing finger during the tashahhud (sitting posture)^[2]. When something which is sunnat (to do or say during namâz) is forgotten, it is necessary to make sajda-i-sahw. It is sunnat to perform the namâz of 'Iyd and the namâz of janâza. A fâsiq^[3] cannot be an imâm. It is permissible to follow an imâm who is in another Madhhâb or who has an excuse ('udhr).

"The distance of safar in the Mâlikî Madhhâb is the same as it is in the Shâfi'î Madhhâb; that is, it is eighty kilometres. In a safar (journey) that is not sinful, it is sunnat to perform two rak'ats of those farz prayers that have four rak'ats. One becomes muqîm

[1] Lexical meaning of 'istibrâ' is 'to exert yourself, to free yourself from something disagreeable or impure'. In the Islamic branch of Fiqh, it means 'after urination, to make sure that there is no urine left in the urethra lest it should drop into your pants afterwards and dirty them and break your ablution'. Istibrâ is done by gently squeezing urine drops out of the penis (manual istibrâ), by walking up and down for a while (about twenty minutes), or by lying on your left-hand side for a while. Istibrâ has yet another meaning in the branch of Fiqh, used in matters pertaining to conjugal relationships. It is extraneous to the subject being dealt with.

[2] Please see the thirteenth chapter of the third fascicle of **Endless Bliss**.

[3] Fâsiq means a Muslim who commits sins habitually and frankly. Please see the tenth chapter for a more detailed definition.

(settled) at a place where one intends to stay for four days. It is makrûh for a musâfir and a muqîm to be an imâm for each other. Those Hanafîs who imitate the Mâlikî Madhhab, can be an imâm for one another whether they are muqîm or musâfir. It is better not to make jem' of the two prayers of namâz, (i.e. not to perform them one right after the other within the time allotted for either one of them)^[1]. It is sunnat to say the Takbîr-i-teshrîk^[2] after the Witr prayer and after the farz of each of the fifteen prayers of namâz during the Bayram ('Iyd).” To imitate another Madhhab while performing a certain act of worship does not mean to leave your own Madhhab. It means to observe the fards and mufsids in that Madhhab, (i.e. to obey the rules that the second Madhhab you are to imitate has established concerning that act of worship and to avoid doing whatsoever the second Madhhab has pronounced to be detrimental to that act of worship.) In wâjibs, makrûhs, and sunnats, you follow your own Madhhab. Suppose a Hanaffî Muslim imitating the Mâlikî Madhhab makes a long-distance journey^[3] with the intention of spending four days at his destination (and he stays there for four days). He performs all four rak'ats of those fard prayers, (the fard parts of early and late afternoon prayers and that of night prayer,) which consist of four rak'ats, since it is fard to do so (in the Mâlikî Madhhab, which he has been imitating, when his sojourn exceeds three days). Because it is makrûh in the Mâlikî Madhhab, and sunnat in the Hanaffî Madhhab, for a musâfir, (i.e. Muslim making a long-distance journey,) to perform a namâz in jamâ'at conducted by an imâm who is muqîm, (i.e. who is not a musâfir,) or to conduct, as the imâm, a namâz in jamâ'at joined by Muslims who are muqîm, in either case he may follow his own Madhhab and perform the so-called prayer (in jamâ'at). Performing a certain act of worship by imitating one of the other three Madhhabs is conditional on there being a haraj (difficulty, predicament) in your own Madhhab. Such imitation is not allowable in the absence of a difficulty.]

It is not taqwâ for those who have had their teeth crowned or

- [1] This statement does not mean that they must not be performed at all. It means that it is better to perform each prayer in its prescribed time.
- [2] To say, “Allâhu ekber, Allâhu ekber, lâ ilâha il-l-Allâhu wallâhu ekber, Allâhu ekber wali-llâh il hamd.” Please see chapter 22.
- [3] Please see chapter 10 for the definition of ‘making jem’ of two prayers.

filled to imitate the Mâlikî or Shâfi’î Madhhab in ghusl, in ablution, and in namâz. Imitating another Madhhab is a way of fatwâ, a method to surmount a difficulty. The statement, “Islam is a religion of conveniences, not difficulties,” has been distorted, by some (false Muslims called) zindiqs, so as to exploit it as a weapon to sabotage the performance of acts of worship that are fard and thereby to decriminalize their own reluctance to perform them. The true meaning of this statement is: It is easy to do all the commandments of Allâhu ta’âlâ; He has not commanded anything difficult. Contrary to what those with weak îmân say, it does not mean that Allâhu ta’âlâ will forgive the things that come difficult to the nafs or that everybody must do what comes easy to him or that He is so compassionate that He will accept anything. Imitating one of the Shâfi’î and Mâlikî Madhhabs in order to resolve a difficulty that you have run into for the sake of your teeth is not a difficulty; it is a convenience.

Calcifications called tartar are formed spontaneously by glandular emissions around the roots of the teeth, and as yet no medication has been found to prevent this unpleasant situation; hence a darûrat comes into play. In all four Madhhabs, it is not necessary to wash under the tartar that is impossible or hard to remove because it is considered similar to a boil on the skin, or a crust or pellicle formed on a wound. There is no need to imitate another Madhhab.

They say, “The problem of crowning and filling the teeth has been solved, the fatwâ has been given that they are permissible. It has been stated that they are not harmful.” They have been giving the name fatwâ to subversive propaganda which those politicians and turban-wearing freemasons who had infiltrated into the religious sphere and interfered with the religious matters during the Party of Union spread in order to slander great religious scholars and to defile religious knowledge. The fatwâ book entitled **Majmû’a-i jadîda** writes in its second edition, which was printed in Istanbul in 1329 A.H. [1911]: “If while making a ghusl water does not reach a tooth cavity of a person whose tooth cavity has been filled, and if a ghusl is a darûrat in this manner, the ghusl becomes accepted.” It adds that this fatwâ was given by Hasan Khayrullah Efendi, the 113th Shaikh-ul-Islâm. But the fatwâ does not exist in the first edition [in 1299] of the book. And Khayrullah Efendi, in his turn, became Shaikh-ul-Islâm for the second time on 18 Rabî-ul-awwal 1293, coinciding with May 11, 1876, and retired on Rajab 15, 1294, which coincided with December 26,

1877. If he had given the so-called fatwâ, it would have existed in the first edition of the book. It is written in the preface of the second edition: “Commanded by the time’s Shaikh-ul-Islâm, Mûsâ Kâzim, we have added several fatwâs that are not in the first edition.” Although the name of the fiqh book from which each fatwâ is derived, together with what it states, is appended to the fatwâ, no such references are given with the abovementioned fatwâ alleged to have been given on teeth. We must be vigilant lest our true knowledge of Islamic credal and practical systems should be undermined; otherwise we will not know enough to regret our having so gullibly believed such parvenus, their articles and false fatwâs, which they have prepared insidiously in order to mislead Muslims.

We are not trying to say that the ghusl and the namâz of those who have had their teeth crowned or filled will not be sahîh. We are trying to say that by imitating the Mâlikî or Shâfi’î Madhhab the ghusl and the namâz of some Hanaffî Muslims will be sahîh even though they may have had their teeth crowned or filled. We are trying to show the easy way, the right way to our brothers in Islam who are in this situation. We do not say you should not crown or fill your teeth. We do not advise you not to perform namâz behind an imâm who has crowns or fillings, either. See also Chapter 23. We are informing Muslims who have crowns and fillings of the convenience taught by Islamic scholars. All these meticulous details we have gone into are intended for the sake of Muslims who are in the Hanaffî Madhhab and who want to worship as prescribed by their Madhhab; that is, for those who esteem the Madhhabs highly. We do not write for those who slight the books of the Madhhabs and who want to worship according to their own minds, opinions and thoughts. Ibni ’Âbidîn ‘rahmatullâhi ’alaîh’, while explaining Ramadân’s crescent, states: “Many of the ahkâm change with changing times (conditions). When there is haraj, daîf riwâyat is acted upon.” It is understood from this (statement) that the changing of ahkâm (rules of Islam) with time means that when one is in a difficult situation one can act upon the **non-mashhûr** (not widely known) ijtihâds of the scholars of one’s Madhhab. It does not mean that everyone should do what comes easy for them. It is written on the hundred and ninetieth page of the third volume of **Durr-ul-mukhtâr**: “A person who goes out of his Madhhab is to be punished with **ta’zîr**; that is, he is thrashed and imprisoned.” The

Fatwâ of Sirâjiyya states the same. Ibni 'Âbidîn writes on this subject: "It is feared that a person who abandons his Madhhab for worldly advantages may die without îmân."

For those who have had their teeth crowned or filled to imitate the Shâfi'i or Mâlikî Madhhab does not mean to leave the Hanaffî Madhhab or to change their Madhhab. They obey the conditions and mufsids in the Shâfi'i or Mâlikî Madhhab along with the Hanaffî Madhhab only in ghusl, ablution, and namâz. It is stated in the chapter about ablution in Ibni 'Âbidîn and in the two hundred and eighty-sixth letter of Imâm-i-Rabbânî's **Maktûbât** that it is mustahab for those who do not have an excuse to observe the fards and mufsids of another Madhhab. A Hanaffî Muslim cannot do something impermissible in the Hanaffî Madhhab on the grounds that it is permissible in one of the Shâfi'i or Mâlikî Madhhabs, without a darûrat and a haraj to compel him to do so. For example, a healthy person, or someone who is in the Hanaffî Madhhab and is imitating the Mâlikî Madhhab because he has a crowned tooth, has to renew his ablution in case of a bleeding on his skin or if he discharges (even a drop of) urine. He performs the namâz of Witr as wâjib. He cannot be considered a musâfir at a place less than 104 kilometres away, and he cannot make jem' of his prayers at a place where he will be a musâfir for less than four days. On the other hand, a Hanaffî Muslim who suffers from involuntary urination (enuresis) because of illness or old age, that is, as a result of a darûrat, is up against a haraj, a difficulty because he has to renew his ablution (each time he discharges urine); therefore he begins to imitate the Mâlikî Madhhab, which in turn will immediately make him a person with an 'udhr and save him from the state of having lost his ablution. (See the last part of the ninth chapter.) Ibni Emir Hajj, who explained the book **Tahrîr**, says, "The forty-third âyat of Nahl sûra and the seventh âyat of Anbiyâ sûra declare: '**Ask men of dhikr**', which means: When you encounter an event ask those who know what you are to do. This âyat-i kerîma shows that it is wâjib to follow a mujtahid and to imitate another Madhhab. If, while doing something in accordance with the Madhhab you have been following, a haraj arises, this thing must be done by imitating one of the other three Madhhabs, and of course, the one in which the same haraj does not exist. An example of this is a Hanaffî Muslim's imitating the Shâfi'i or the Mâlikî Madhhab because he has a filled or crowned tooth. If the same haraj exists in all the other three Madhhabs as

well, the next step is to see if there is a darûrat. If there is a darûrat as well, it will be permissible not to do that thing at all. For instance, since it is impossible to imitate another Madhhab in a case such as when it would be harmful to take off the bandage on a wound and wash the wound, one will be absolved from having to wash the wound and it will be permissible to make masah on the bandage (when making an ablution or a ghusl). It is not permissible for us who are not mujtahids but muqallids to interpret âyats and hadîths and act upon our own understanding by saying that the Sahâba did so.” When beginning to explain the tahârat, Ibni ’Âbidîn states: “It is not necessary for a muqallid to inquire about the proof-texts and documents for the information coming from a mujtahid.”] [See Endless Bliss II, Chapter 34].

5 – TAYAMMUM

Tayammum before the beginning of a prayer time is sahîh in the Hanafi Madhhab, (which means that the new prayer can be performed, when its time begins, with a tayammum that you made before its beginning.) According to the other three Madhhabs, it is not sahîh before the beginning of a prayer time, (so that you cannot perform one of the five daily prayers with the tayammum you make before its prescribed time begins. Incidentally, ‘tayammum’ means a ‘simple procedure that you follow as a substitute for an ablution and which is permissible in want of water’.

There are seven kinds of being unable to find water, or, to use it, to make an ablution or ghusl:

1 - He who is one mile away from a source of water makes a tayammum, provided he should make an intention (niyyat). One mile is equal to four thousand zrâ’, which equals 1920 metres. It is always fard to look for water when you are in a city.

2 - If a Muslim is unwell and knows, from his personal experiences or upon the advice of a specialist doctor known to be a Muslim who does not openly and publicly commit sins, that making an ablution or ghusl or moving would exacerbate or prolong his illness, then he is accredited to make a tayammum. Also among ’udhrs (excuses that make a tayammum permissible) is the enervation felt on the hands and feet during the period of convalescence. [So is the case with the feebleness felt at old age. Such people (are permitted to) perform the daily prayers sitting.]

3 - If a person is too ill to make a ghusl or ablution or cannot find anybody to help him even for money, he will make a

tayammum. He who cannot make a tayammum even with help does not perform the namâz, but he performs it, (i.e. makes qâdâ of it,) when he recovers. It is not wâjib for a husband and wife to help each other to make an ablution.

4 - If there is the danger that a person would die or become ill because of cold in case he made a ghusl, and/or if he does not have enough money to go to a bath and has no other alternative, even if he is in a city, he makes a tayammum instead of a ghusl and makes an ablution with water.

5 - If water is close but there is an enemy, a wild or poisonous animal, a fire or a guard near the water, or if he is imprisoned, or if someone threatens him with death or would take away his belongings as he made an ablution, he makes a tayammum instead and performs the namâz. But since these are caused by creatures, he has to perform his namâz again after he makes a ghusl and ablution.

6 - If a traveller has extra water which he and his comrades need to drink, to clean themselves of najâsat or to give to their animals, he makes a tayammum. If he drains the water making a ghusl and then has to perform the namâz with najâsat on himself, it will be accepted, but he will be sinful. If he first makes a tayammum and then removes the najâsat, he will have to make a tayammum again. For one cannot make tayammum while there is water. If a person who is junub finds water enough to wash his body partly or to make an ablution, he makes one tayammum for both ablution and ghusl. If his ablution breaks after the tayammum, he makes an ablution with the water. When the water poured on the body in an ablution or a ghusl falls down somewhere [not on one's clothes], it becomes foul and one cannot drink it. But it can be given to animals to drink. A person who is about to die from thirst buys water from someone who has extra water. If the latter will not sell it, the former takes it by force, by fighting or threatening. Water to be used for an ablution cannot be taken by force.

7 - If a person cannot find a bucket or a rope to lift water out of a well, or a person to go down the well for money, he makes a tayammum, and does not have to perform his namâz again when he finds water.

Halabî writes at the end of the subject concerning masah: "If a person has chaps, eczema or some other wound on one or both of his hands so that it is harmful to moisten them, he cannot make an ablution. According to Imâm-i a'zam, it is mustahab for someone

else to help for friendship's sake or for money a person to make an ablution who cannot make an ablution for the reason mentioned above. If he makes a tayammum and performs the namâz without asking someone else for help, his namâz will be accepted. If he cannot get help or find money, it is permissible for him to make a tayammum according to the Imâmayn, too." Hence, it is necessary for him to make an ablution by wearing, if he can, a glove on his wounded hands.

In case one makes a tayammum for one of the reasons written above, the tayammum expires when the reason ceases to exist. If another reason arises before the first reason ceases to exist, the first tayammum again expires when the first reason ceases to exist. One has to make a tayammum again.

A person without an ablution or ghusl can make a tayammum even when there is water lest he will miss the prayer of Bayram ('Iyd) or janâza. If there is the fear that he may miss Friday prayer or any of the five daily prayers, he cannot make a tayammum when there is water. Ghusl and/or ablution is necessary. If the time of prayer is over he performs it later. For example, a person wakes up and sees that he or she is junub, or that her menstrual or puerperal period is over, and sunrise is close at hand, he or she makes a ghusl hastily. If the sun rises in the meantime, they perform their morning prayer together with its sunnat after the karâhat time is over. (Times of Karâhat are explained in the final part of the tenth chapter.) **Tayammum** means to purpose something.

Tayammum has three fards:

1 - To intend to purify oneself from janâbat or from the state of being without an ablution. If a person without an ablution makes a tayammum in order to teach his disciple, he cannot perform namâz with it.

Intending solely for tayammum will not make the tayammum adequate for performing the namâz with it. It is also necessary to intend also to do something which is an 'ibâdet (worship); e.g. to intend to make a tayammum in order to perform janâza namâz, to make sajda-i tilâwat, or to intend only to make a tayammum as a substitute for an ablution or a ghusl.

When intending for a tayammum it is not necessary to separate ablution and ghusl from each other. By intending (to make a tayammum) for an ablution, one becomes purified from janâbat, too. One can perform namâz with the tayammum one

has made in order to be purified from janâbat. A second tayammum for an ablution is unnecessary.

2 - It is stated as follows in the book **Manâhij-ul-'ibâd**, (by Sa'îda-d-dîn Ferghânî 'rahmatullâhi 'alaih': "According to the Shâfi'i and Hanbalî Madhhabs, a tayammum can be made only on soil. (For making a tayammum compatible) according to the Hanaffî and Mâlikî Madhhabs, both sleeves should be rolled up to above the elbows and the two palms, with the fingers opened, should be rubbed and moved up and down on clean soil, stone or on a wall plastered with clay or lime. Then one must make masah on the face with both palms once, that is, rub them on the face gently in such a manner as an area at least as large as the sum of three fingers on each palm should contact the face."

[To make a perfect masah on the face, the two open-hand palms, with four fingers of each hand closed together and with the tips of the two long fingers of both hands touching each other, are put on the forehead in such a way as they should abut on the hairline, and moved slowly down towards the chin. The fingers, in a level line, must be rubbed on the forehead, on the eye-lids, on both sides of the nose, on the lips, and on the facial part of the chin. Meanwhile the palms will be rubbed on the cheeks.]

3 - After putting both hands on the soil for a second time and clapping the hands so as to shake the surplus dust and soil off, first rub the inner parts of the four fingers of the left hand on the outer face of the right arm from the tip of the fingers to the elbow, then rub the left palm on the inner face of the right arm from the elbow down to the palm; in the meantime the inner part of the left thumb should be rubbed on the outer part of the right thumb. According to an authentic report (riwâya), it is unnecessary to remove the ring you may be wearing or to make masah on the sides of the fingers of each hand with the inner parts of the fingers of the other hand. Then rub the right hand likewise on the left arm. The palms must be rubbed on the soil, but the dust and soil need not be left on the hands. The tayammum will not be sahîh in case any area as large as the point of a pin on your face or arms is left untouched by your palms.

The Tayammum for an ablution and for a ghusl is the same.

A Tayammum has twelve sunnats:

- 1 - To put the palms on the soil.
- 2 - To move the palms back and forth on the soil.
- 3 - If there is soil left on the palms, to clap the hands together

with the thumbs until there is no soil left.

- 4 - To open the fingers while putting the hands on the soil.
- 5 - To start in the Basmala (in the name of Allâhu ta’âlâ).
- 6 - To make masah first on the face, then on the arms.
- 7 - To perform it in the quick manner of an ablution.
- 8 - If a person on a long-distance journey termed safar (, i.e. a musâfir,) knows that there is water within a mile, it is fard for him to look for it; if he is only estimating, it is sunnat to do so.
- 9 - To make masah first on the right, then on the left arm.
- 10 - To put the hands on the soil strongly as if you were hitting it.
- 11 - To make masah on the arms as described above.
- 12 - To make masah between the fingers.

A person who does not have water is permitted to become junub.

Tayammum can be made with any sort of clean earthen thing even if there is no dust on it.

Things that burn and turn into ashes or that can be melted by heat are not earthen. Therefore, tayammum cannot be made with trees, grass, wood, iron, brass, painted walls, copper, gold or glass. It can be made with sand. It cannot be made with pearls or corals. It can be made with lime, plaster of Paris, washed marble, cement, unglazed faience, porcelain, earthenware pans, or mud. If there is mud only, tayammum can be made with it, if the water in it is less than fifty percent. If the water is more than fifty percent, a piece of cloth must be soaked with it, dried against the wind, and then tayammum can be made with the dusty cloth. Tayammum cannot be made with muddy water. An ablution should be made with it. A tayammum can be made on a wall whitewashed with lime. When you put your hands on things with which a tayammum is not permissible, such as wheat, tissue, clothes, cushions; if your hands become dusty with the dust or ashes (that should have come) from things with which a tayammum is permissible, or if the dust or ashes fly about in the air when such things, (i.e. the aforesaid things that cannot be used for tayammum,) are shaken, a tayammum can be made with them. The case is not so with the organic dusts resting on household things. Several people can make a tayammum on the same soil. For, soil and the like do not become musta’mal when they are used for tayammum. The dust that falls from the hands and face after a tayammum is musta’mal.

When something is the mixture of something that can be used for tayammum and something which cannot, it will be named after the component that is more than half. In the Hanafi Madhab, it is permissible to make a tayammum before any prayer time and to perform various prayers with one tayammum. In the other three Madhhabs, a tayammum becomes void when the prayer time is over. When a musâfir (traveller) strongly believes through certain indications, or after being informed by a Muslim who is 'âdil^[1] and has reached the age of discretion and puberty, that he will find water at a distance less than a mile [1920 metres], less than two miles in the Mâlikî Madhab, it is fard for him to look for water by walking or sending somebody for one hundred zrâ' [two hundred metres] in each direction, or if feasible, by only looking. If he does not have a strong expectation, he does not have to look for water. If a person who has an 'âdil friend with him makes a tayammum without asking about water and starts to perform the namâz and then is told that there is water, he makes an ablution and performs the namâz again. It is permissible to perform the namâz with a tayammum while water is more than a mile away. A person who forgets that there is water among his provisions can perform the namâz with a tayammum if he is not in a city, a village [or in any inhabited place]. If a person who thinks his water has run out finds that he does have water after the namâz, he performs the namâz again which he performed with a tayammum. Likewise, when a person who (thinks that he has an ablution although he does not and thereby) performs a namâz without an ablution remembers afterwards that he did not have an ablution (when he performed that namâz), he performs the namâz again.

It is wâjib for a musâfir, (i.e. a Muslim on a long-distance journey,) to ask for water from their company. If they decline to give him water, he performs namâz with a tayammum. In case a musâfir's friend sells water for its current price, the musâfir has to buy it if he has the extra money to do so. If its owner sells it by **ghaban-i fâhish**, that is, by heavy overcharge (exorbitant price), or if the musâfir does not have the money to buy it for its current price, he is permitted to perform the namâz with a tayammum. **Ghaban-i fâhish** means more than twice its current market value. So is the case with a naked person buying some cloth to cover his

[1] The term 'âdil Muslim', along with its antonym, 'fâsiq Muslim', is defined by way of a footnote in the tenth chapter.

awrat parts. But a thirsty person is permitted to buy high priced water to drink. In a desert, one must ask for a rope and a bucket from one's comrade. One can make a tayammum while there is water placed on the way especially for drinking. Ibni 'Âbidîn 'rahmatullâhi ta'âlâ 'alaikh' writes in the fifth volume: "It is not permissible to make an ablution with the water set aside for drinking. One should make a tayammum."

If there is little free [mubâh] water, a person who is junub takes priority over a woman whose menstrual period has newly ended, over a person without an ablution, over a dead Muslim, in the utilization of the water for the performance of washing, (which is compulsory in all four cases.) The owner of the water has priority over others. When amounts of water belonging to different owners are brought together, the corpse of a dead Muslim must be washed first.

The way for a hadji [Muslim pilgrim] to avoid using up the zamzam water he has with him for ablution is to change its name from pure water by flavouring it with an additive such as sugar or roses. Or he must give it to a person whom he trusts as a present that cannot be returned. If the person given the present gives a small present in response, the former owner cannot demand his present back.

If a person who is junub makes a tayammum and then loses his ablution, he does not become junub in the Hanâfi Madhab, but he becomes junub in the Mâlikî Madhab. If there is little water he makes an ablution only.

When water more than is needed for drinking, washing off najâsat, and making bread is found, the tayammum becomes annulled. If one finds it while performing namâz, one's namâz becomes annulled, too. If one passes by the water while sleeping in a vehicle, one's ablution by way of a tayammum becomes annulled because one has slept. If one cannot get off the vehicle to make an ablution though one has been awake, the tayammum does not become annulled.

If more than half of the surface of a junub person's body has a disease, such as a wound, small-pox or scarlet fever, he makes a tayammum. If a major part of his skin is healthy and if it is possible to wash himself without moistening the diseased parts, he makes a ghusl with water and makes masah on the diseased parts. If masah would cause harm, he puts one or several pieces of cloth on the diseased parts and makes masah on them. A person whose hands are diseased puts his feet and face into

water. If he cannot do this he makes a tayammum. A sick person who can get help from someone in order to make an ablution does not make a tayammum. If a person cannot prostrate himself or raise his head after prostration on account of old age or illness, he does so by leaning on something such as a chair. Or, (if possible,) someone helps him to manage these actions. If it is impossible for him to wash without moistening the wounded parts, in that case also he makes a tayammum. If more than half of his limbs of ablution or two of his four limbs of ablution are healthy, he makes an ablution and applies masah on the wounded parts or limbs. If direct masah would be harmful, he makes masah on the bandages (that he has put on the wounds). If more than half of all his limbs of ablution or three or all four of his limbs of ablution are wounded, he makes a tayammum. If a tayammum would cause harm he does not have to perform the prayer. If the amount or number of the healthy parts or limbs is equal to that of the wounded ones, he must not make a tayammum. It is not permissible for a person who makes a tayammum to wash some of his limbs. There are thirty-four such things that cannot be done at the same time. Although there is an authentic report in which some Islamic scholars are quoted to have stated, "He who has such a headache that he cannot make masah on his head can make a tayammum in place of an ablution, and he who cannot wash his head can make a tayammum in place of a ghusl," this statement must not be acted upon, since the matter had already been solved by way of a fatwâ that had been issued before the statement quoted above was made, and thereby the conclusive answer to the question had been given: "In both cases the obligation concerning the head, (i.e. applying masah on it when making an ablution and washing it when making a ghusl,) is no longer an obligation."

***Think of the endless world, do not adore a shadow,
Read the Sunnite book, do not be obstinate,
Wake up as you can, do not miss the chance,
Do not form habits that will burn eternally.
Be mustaqîm, hadrat Allah will not embarrass thee!
Seeing this unawareness, the devil will mock thee,
Come to yourself, my dear, do not let the accursed ape thee.
Do not be mundane, give up pomp and fame,
Beautiful morals is what most becomes to thee.
Be mustaqîm, hadrat Allah will not embarrass thee!***

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